

Public Administration

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Some Problems of Local Government

By I. G. GIBBON, C.B., C.B.E., D.Sc.

[*Being the Warburton Lectures, 1931, delivered at Manchester University*]

SYNOPSIS

Object : General Control of Administration : Units of Administration, Regional Units, Civic Units: **The Representative and the Official,** the subordinate place of the Official, the Representative and the Expert, Policy, Prevailing Circumstances, the Necessity for the Expert, the Place of the Official in Policy, Forecasting Results, Research by Officials, the Electorate and the Division of Functions: **Tests, Efficiency Audit, Unit Tests, Units of Efficiency : Conclusion.**

I. OBJECT.

I PROPOSE in these two lectures to consider just a few of the many problems of local government. To remove any misunderstanding, let me make it quite clear at the outset that I shall not deal with any matter of political controversy. As a civil servant, I must not trespass on that field, but, while missing some of the joys of the political fight, I am consoled by the fact that there are problems enough and to spare outside the political arena, and there can be exhilaration like that of mountain climbing in considering them in the clear air of impartial thought.

May I also say a word on my own general outlook on problems of this kind? I am an unrelenting empiricist, pragmaticist if you like, patiently watching results and ready, if facts so call, to change methods and even purposes by experience. The absolute best, the absolute right and wrong, no more dwells in the realm of government than of thought. Every institution, every organization, in the long run is but a hypothesis, to be tested by results, to be modified, or even wholly replaced, if facts irrefragably so require. Not that institutions or organizations, any more than hypotheses or so-called laws of nature, are lightly to be abandoned, to be thrown on the rubbish heap at the first breath of failure. Any man of worth has strong convictions, prejudices even (and prejudices have their part in cementing society) to which he will stoutly hold, but which he should

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as resolutely let go once facts are dead against them—and there will always be plenty of room for contention whether the facts are so!

We are all apt to proceed as though democracy and its methods were as old as the eternal hills, forgetting that it is a child but of yesterday, only lately born in its fullness, still to prove its services to the progress of mankind, still with much to learn of organization and method. One of the urgent needs of to-day is far more thorough and independent thought on the methods of government, and there is comparatively little in this country.

II. GENERAL CONTROL OF ADMINISTRATION.

In the diversified conditions of to-day there is increasing necessity for long-term planning, and local government would be the better for more of it. Policy, in the last resort, must be decided in the polling booths, and the roots of big political trends lie deep in social conditions. But there is a large sphere of local government, usually far the larger, on which Parties agree, or at any rate in which differences do not run on Party lines.

German towns, some of them in particular, have gained greatly from having at the head of local government a burgomaster, or a "college" (or small group) of burgomasters under a chief burgomaster, who usually remains in office for many years, who can plan big projects and can steadfastly pursue them year after year until the projects are achieved. The great cathedrals were built by steady persistence over years—in some cases generations. The building of a town, apt for business and pleasant for life, is an even worthier object, and demands and deserves far more systematic planning and patient perseverance.

Local government has had to struggle over many obstacles in its search for efficiency. Old duties have expanded enormously, like a river in flood, and new duties have been abundantly added. The general local authorities have had to absorb functions hitherto performed by bodies specially constituted for the purpose, notably in the present century. So heavy a burden might have taxed the ablest business executive, rooted in stability and continuity.

And during this time the basis of local government has been greatly changed. The franchise has been extended; even more significant, in a way, a new class of representative has appeared on the governing bodies.

Complaints are sometimes made that the work of local government is not better done. With the magnitude of the tasks and the conditions under which they have had to be performed, the marvel rather should be that so high a standard is attained: a standard which indicates that there is a soundness of core in the system and

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in the country, and is a tribute to that ability to adapt of which the Britisher is so justly proud.

We cannot afford, however, to rest content. The watcher on the hill-top can see a flood of problems sweeping down on many a governmental institution—indeed already here: problems arising out of the social and economic conditions of the times; and they will not be overcome—at least not satisfactorily—until still higher standards are attained. There is ample scope for improving local administration.

We live in a restless civilization; changes come racing one after another like clouds in an unsettled sky. It is not enough to live just unto the day, satisfied that the next will be like unto it; it is necessary to plan well ahead.

The need of long-term planning is being increasingly recognized in this country. The spread of town planning is one sign. Looking well ahead for the provision of some public services, such as housing and water supplies, is another. Long-term budgetting for capital expenditure is also making some headway.

In these spheres, however, there is ample room for more rapid progress, and generally there is not much active appreciation of the need of long-term planning for the work of the council as a whole. Sufficient for the day is the problem thereof; there is a tendency to be content with this sentiment—and excuse enough in the multitude of urgent problems; but to look to the morrow would make easier even the problem of to-day.

Now, the work of the local authority, just as a business concern, is often far the largest in its area; and if it were an ordinary business concern there would be a directorate or a management, whose job it would be to plan and generally to supervise.

I am not suggesting that the organization of local governing bodies should be altered so as to bring it into line with ordinary business management, though one of the most instructive experiments of to-day is in this direction—the City Manager system; there are radical differences between a public authority and a private concern, however large. But would there not be some advantage if there were a committee of carefully selected members of the council, with the particular duty of formulating, so far as that was necessary, long-term programmes for the decision of the council, and still more (for the less the committee had directly to do itself the more efficient is it likely to be) of seeing that such programmes are prepared by the various committees and of co-ordinating the plans?

I am fully conscious of the many objections which may be raised. It will be said that this is one of the duties of the council

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itself. But the council is primarily a deliberative body, usually too large to initiate and to formulate detailed proposals. Certainly not less important, it is essential for good government that the deliberative and critical organ should function with vigour, and the more it enters into detail the greater is the danger that this vital activity will be impaired.

There is also the feeling that each member is equally the representative of the electorate, and that to commit general direction to a small committee (and the committee would have to be small if it is to function efficiently) would be to abdicate from the representative throne. But to brush aside a sensible arrangement on the score of mere theory is not the British way and is the high road to ineffectiveness; and, in fact, everyone knows well that each representative is not in practice equal. In any event, final decision would always rest with the council as a whole. It is the naive theory of equality which produced in the United States, in the middle of the last century, a crop of elected officers, to the sad detriment of local government; an infirmity from which the country is still suffering.

There is a still deeper objection: that as Party more and more enters into local government, as it is doing, the main outlines of policy cannot be formulated by a committee of this kind. As I have previously said, however, a large part of the work of local authorities lies outside Party, and is likely to do so, and in some instances a system such as we are considering exists now in some measure, but in an informal way. But even if Party becomes as fully adopted in local as in central government, there is no reason why the system should not be applied; it would but approximate to what prevails in central government.

There is another need which such a committee could supply. In a number of local authorities, at any rate, there is room for more co-ordination between the different departments. Each department, each principal committee, tends to go its own way, almost as an independent authority; this is in the nature of circumstances. If there is virtue in consolidating services—and if there is not, then much of the development of the last fifty years has been mistaken—it fails if the several branches of a local authority each goes its separate way. All the services need to be focused to a common purpose, the better to serve the needs of the community, just as tributaries flow into the common stream.

It is true that the finance committee in some respects surveys the whole field, and a strong finance committee is essential for good administration. But it is not advisable that this committee should be expected to exercise a general supervision other than in finance, any more than that a policeman should be the arbiter of all life,

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not only because the committee, in the measure in which it fulfils its duty, must look at matters primarily from the point of view of expenditure—and this usually means, in practice, from the point of view of parsimony (and no bad thing)—but, more important still, because the more that a finance committee wanders into general administration the more likely is it to lose sight of its primary function, guardianship of the purse, a function that must not be weakened.

For reasons already stated, it is not prudent to look to the council for this general supervision. The more it enters into detail the less attention will it give to the larger matters of policy, the decision of which is its primary function and far the most important. Care of pence to the neglect of pounds is the most flagrant waste, and, the old adage notwithstanding, this is usually the price if a deliberative body busies itself too much about the pence instead of delegating this task to a subordinate organ.

From all of which it seems to follow that, if effective general supervision is to be obtained, it is well that there should be some small body to which this duty is expressly allotted: a body which will not attempt to supersede or "to boss" the several committees in their respective functions, but will tactfully stimulate and reconcile and co-ordinate, so that the whole machine will work together for the greatest benefit to the community which they all serve.

III. UNITS OF ADMINISTRATION.

Units of government need to be changed with changing conditions and functions if efficiency is to be served. There can be little question that at the present time regional units need to be developed for some purposes and, at the other end of the scale, quite small units would be of advantage for cultivating civic spirit and understanding.

Regional Units.

Looking down the vista of development since the early days of the last century, one feature which stands out, like a stream threading the generations, is the gradual enlarging of the areas of local government.

We started chiefly with the parish and a few towns, many of them not larger than parishes, and a hundred years ago of little practical importance for local government. Steadily, though with halting steps, the country advanced to districts, urban and rural, and later in increasing measure placed many functions on the counties and county boroughs.

Another stream also stands out in the vista, running side by side with the other; functions are progressively consolidated in one

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authority for each area, including new functions which, starting with special authorities, are ultimately merged in the one general body, the final merging having been effected only last year, when the great service of public assistance, following in the wake of education a generation ago, was transferred from the special to the general authorities. I am not now concerned to argue the merits or demerits of the change, but only to give a plain narrative of events.

As I have already indicated, he who studies social conditions cannot but feel that the process of enlargement will proceed still further, though not necessarily in the same form as that of the past years. Indeed, it has already begun. The town, even the county, may no longer be an appropriate unit by itself. When the common interests of a number of communities in a service are close, there is at any rate some presumption that the broad outlines of policy for that service should be determined by the communities as a whole, not separately by each one of them. Each one can no more sensibly play for itself than each man in a football team. In such circumstances, the region becomes the one organic unit of policy, possibly of administration. This fact has already been recognized in some spheres—for instance, in the joint bodies for electricity, for town planning, and, more haltingly, for water supply and for preventing smoke nuisances and, here and there up and down the country, for other services, and more recently for land drainage and, through the central department, for traffic control.

The problem is not special to this country; it is troubling every industrialized community. In the United States, reams of literature are being devoted to it and some interesting attempts being made to solve it. Germany affords one of the boldest endeavours to meet the problem, and for those interested I would commend the study of the Ruhrverband, a special authority, with representatives of employers and employed as well as of the ordinary local authorities, set up to determine and to control the general lines of development of the whole of the Ruhr region, an important coal and industrial area of about the combined size of the counties of Glamorgan and Monmouth. It has now been in operation for some years, and there has been sufficient time to judge of its utility.

Areas of common interest are constantly extending under modern conditions. The ease of communication contracts distances. When common interests and needs are close, it is likely that somehow circumstances will compel, locally or centrally, a way in which they can be met with reasonable efficiency. Statesmanship consists largely in seeing the need when it may be even little larger than a man's hand, and in preparing betimes for the abundant rains,

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perhaps floods, which are coming—and a people are politically wise in so far as this spirit of foresight finds ready response.

There are hindrances, serious hindrances. In the first place, local authorities are no more ready than individuals to surrender one jot of their autonomy. The larger authorities may fail to see why the process of consolidation which has been steadily proceeding for generations should be reversed, why we should once again start the setting up of special bodies. There are conflicting interests, or at least, what is an equal obstacle, the fear of conflicting interests. Whether it be electricity, town planning or water supply, for instance, one authority fears that it may be sacrificed to its neighbours—and it would much rather, if needs must, be sacrificed to some local authority in Mars! The smaller authorities dread lest co-operation with bigger neighbours be but a prelude to the sad tale of the young lady of Riga.

The problem probes deeper even than this. There is a conflict of two forces—whether each service, or group of services, is to be regarded as an unit itself, with an independent organ of government for it, or whether to start with the traditional units of government (county, town or district, as the case may be) and graft any additional functions on to them. The reformers of the early years of the last century proceeded chiefly on the former lines; those of the latter part of the century spent much time in reversing the process, in consolidating functions in the units of general local government.

It is obvious that there are difficulties enough in the way of any regional programme, but they will have to be overcome if it be true that under modern conditions many services can be adequately and economically planned only on a regional basis. The local government controversies of the middle of the last century are full of denunciations, and of forebodings of disaster, if the parish were superseded. The writers—and some of them were men of learning and of influence—were obsessed with the parochial outlook, unable to change their ideas with the changed conditions around them. But adaptation is the price of survival. There is need of far more thought on this problem, as on many others, of far more research based on hard fact, in order that the ideas needed for wise administration may bear fruit in the minds of representatives and of electors—and of officials, too.

Some may think that the inevitable conclusion to which this analysis leads is that regional authorities should be formed for the various purposes. There is, indeed, a body of thought which advocates general regional authorities, partly to take over some of the functions now performed by Parliament and the central depart-

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ments, partly some of those now administered by local authorities. I do not propose to pursue this subject, though it has, of course, a close bearing on that which I am considering; I am looking now only at the functions performed by local authorities and others which may arise out of them. And, lest I may be thought to be neglectful, let me say that I am by no means unmindful how important for local, and indeed national, vigour and efficiency it is to cultivate civic spirit, and how much this is stimulated by concentrating functions as far as practicable in one authority, and how easily it may be dissipated when responsibility is scattered.

From this standpoint, it does not by any means follow that it is necessary—or indeed wise, having regard to current notions and sentiments (and these are as essential ingredients of the problem as material conditions)—to establish special regional authorities with administrative duties, though this may be the only satisfactory solution for some purposes or in some circumstances. In a number of instances it may be sufficient if a regional body, representative of the local authorities, lays down the broad lines of policy, execution being left to the constituent authorities. In some instances it may even be sufficient if a regional body formulates an advisory policy for the group, though there is always the danger that this mild measure will break down at some vital point. In other instances, especially in trading undertakings, it may be much the more prudent and cheaper course that one large authority should be the provider of services for its neighbours as well as for itself, for there is great gain if responsibility is concentrated.

What is important is to bear clearly in mind the crucial core of the problem: that, where there are close common interests between members of a group, policy should be determined, and determined effectively, not in a milk-and-water fashion, for the group as a whole. And a live public opinion, awake to this regional need, not wedded to its own district, right or wrong, must be cultivated—an opinion based on a wide outlook, realizing that the well-being of each district may depend upon the region, just as in the long run the prosperity of each town may depend far more on that of the country as a whole than on any local advantage.

There is one phase of this general question which is sometimes regarded as the whole of it: the problem which is sometimes designated in this country by the ugly name of "conurbations," which in the United States is now usually described as that of the "metropolitan district," a term apt to mislead, which I prefer to call the problem of "town-masses," where two or more towns adjoin or nearly adjoin one another, with consequent many and close common issues—the problem of Greater London, of Manchester and district,

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of the Merseyside and of a few other places in this country. They present questions calling for high local statesmanship. There are a number of possible solutions, given goodwill and courage. I have not time to canvass them this evening, and I mention them just as one class of the regional problem, though presenting special features, with difficulties, especially of sentiment, the more acute because of that very proximity of areas, which, however, renders a solution all the more urgent.

IV. CIVIC UNITS.

From the large to the small. In order to develop civic spirit and civic understanding, there would be gain if smaller local units with a sense of common interests could be formed.

We are apt to put too high the readiness of the average man to take a live interest in matters outside the narrow circle of his ordinary daily life. Democracy, as I have said, is in its infancy. Democratic government makes a very heavy demand on the ordinary elector. Can he be expected to answer it if a keen civic spirit and a real civic understanding is not well developed? And there are forces in the modern community which tend to swamp civic spirit, not least the massing of huge populations—what before the last century would be regarded as preposterous populations—within crowded towns.

Democracy owes a great deal to the training in the past of men in managing trade unions, friendly societies, co-operative societies, of nonconformist churches and chapels and similar institutions. Some may fear that even here, in the growing trend towards State activity, opportunities may become fewer; but that is a question outside my subject of local government.

What I wish to suggest here is that there lies a real danger to sound democracy unless we can in some way evolve smaller units big enough to combine a fair number of interests and to evoke a genuine public spirit, yet small enough to enable the ordinary man readily to understand their problems and for many a one to take an active part in their activities.

The large towns of modern times are wonderful in many respects, but, like many of his contrivances, they threaten to dwarf man himself, to crush down his human stature to that of a pigmy. Man may invent a guillotine only for his own destruction. Large towns as we find them to-day represent a relatively low type of organization, and it is high time that this be realized. They are too amorphous, like aggregations of low types of animal life, with one unit added to another with little organization. Their problems are too remote, too complex, for the understanding or interest of the ordinary man.

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Life would be healthier and democracy more secure if these amorphous masses could be divided into separate communities—ward units, if you will—each with a life of its own. In this way, too, there would be more scope for individual ability, which now too often lies unnoticed and unused like a pebble on a beach of a million stones. The greatest waste of all in modern communities, with their crowded humanity, is that of individual ability.

I do not suggest that each of these units should be units of independent local government. That, indeed, would be chaos. What I have in mind are small communities with some definite unity, with local patriotism which could possibly even be used for some purposes of local government, but which still more would be units for many neighbourly activities outside the ordinary functions of government, though some of them touching local government closely and all helping towards a community vigorous in mind and body.

How may this be achieved? In new communities much may be possible through proper planning, using open spaces, principal ways of communication and physical features to give a definite physical unity, for without physical unity it is often difficult to cultivate a sense of common interests in a new district. Many a housing estate has developed a civic life of its own.

In already developed towns, the task is far less easy. The new planning powers which are proposed should help, though these powers would obviously have to be used with liberal consideration of existing interests and with a practical sense of what is reasonably possible. Much is possible by forming civic centres for localities, where the buildings of the local authority and also other institutions for the general use of the locality are congregated in a manner to appeal. They will form a nucleus around which local public spirit will crystallize, just as some substances in water will crystallize only if some object is introduced into the liquid to form a nucleus and a stimulant. This movement will be facilitated if local men and women are joined in the management of the institutions. Judging from reports, they have been able to do much in some towns in the United States in developing neighbourhood communities, using especially places of recreation, for adults and children, as the centre. There is hope also in the fact, well known to all those familiar with social conditions in our large towns, how vigorous local ties continue in areas which once were independent little towns or villages long after they have been swallowed into the amorphous mass of the octopus, and how this sentiment of locality makes persons resist being moved to another place. This is a human fact on which to

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build, if we build but wisely—even though sometimes it may work cussedly for the reformer.

I have but touched on this problem. I am far more concerned for the moment to raise it, to stir thought on it, than to suggest cut-and-dried solutions.

THE REPRESENTATIVE AND THE OFFICIAL.

I. THE SUBORDINATE PLACE OF THE OFFICIAL.

Anyone who is considering the place of the official in government is so apt to have the brickbat "bureaucracy" hurled at his innocent head, and to have it thought that this satisfactorily settles all argument, that it is well at the outset to make a few things abundantly clear, so that no man may misunderstand—though even then some surely will!

In the first place, then, it must be obvious that the functions of the official are such as are decided by the representative governing body, subject to any provisions or rules laid down by a superior representative body, as by Parliament in laws.

In the second place, in considering the relative functions of the representative and the official, what we are trying to do is to find out what division is likely to be of most advantage to the community.

In the third place, in a democratic community, while efficiency, with which goes economy, is a principal object, it is not the primary one. The primary object is government according to the will of the people, though it be often difficult with certainty to ascertain. Officials, all experts, are apt to become so obsessed with efficiency—and it is not at all a bad obsession—that they may overlook this fact.

II. THE REPRESENTATIVE AND THE EXPERT.

We take it for granted to-day that there must be representatives and officials, that the representatives should not attempt themselves to administer in detail, but should leave that to officials under their control. It was not always so. If we go back but a short hundred years we find very different conditions, most of the public work, such as it was, being done by selected laymen, officials being but a small handful and most of them, in local government, holding lowly positions—an Elysian paradise for which very many seemingly sigh, just as some would have us go back to a diet of fruit and nuts. It is but recently that the last extensive survival of this system in local government, the overseer, was abolished—and there were few tears. Even to-day, if you cross the Atlantic, as I have already mentioned, you will find thousands of elected officials, a cumbersome relic of a simple-minded wave

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of extreme democracy that passed over the country some decades ago.

In our own local government, and in central government also, we see at the present time official after official, each a specialist at his job, often required to possess professional qualifications as a test of his fitness for his post, and we are apt to look on the system as ordained from ancient days, forgetting how recent is all this development, that these experts have been found necessary only in modern days, the offspring of the expanding scope of government and the growing complexity of modern conditions. We think of local government as though it had come down with little change of essentials through the ages, and historians trace, or try to trace (a very different thing), its progress through the centuries, all of which is not only justified, but necessary for right understanding, always provided one thing: that we appreciate that the local government of to-day is no more like the local government even of a century ago than a motor-car is like a pony and chaise.

It is true that we are not likely to solve our problems rightly unless we see them in the perspective of history. It is no less true that we cannot hope to solve them at all unless we see them in the light of modern conditions, not allowing them to be blurred by traditions or prejudices, but examining them in the dry light of present needs.

Policy.

The representative should decide policy and judge of results. I will not here enter on details of what constitutes policy. Where policy ends and administration begins admits of endless discussion, as endless as that on the right division of central and local functions. There is no clear or any absolute dividing line because it depends on conditions of time and local circumstances, which is one reason why the respective functions of the representative and the official are not more definitely demarked.

The broad division nevertheless is there. Policy determines the ends to be achieved and the means to be made available for attaining them; administration determines how those ends are to be accomplished and does the work. A further division might be made between the administrative and the executive, but I will not now bother you with that matter.

The most definite attempt to delimit policy and administration, the sphere of the representative and the official, is that recently made in the Irish Free State. Their Parliament has laid down a City Manager constitution, first for Cork and later for Dublin and the neighbouring borough. The laws set out in detail the func-

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tions of the council and the city manager. I am not concerned now with the merits or demerits of the system, about which there is no little controversy, but only with the effort made in the law to mark off policy and administration.

Briefly, what the laws provide is that the council is to determine what functions shall be undertaken (subject, of course, to the duties laid on the council by statute) and what money shall be spent, whether out of revenue or of loan, but that the carrying out of the work, the collection of revenue, and even the appointment of officials, subject to certain conditions, shall rest with the city manager, who is not directly responsible to the council for details, but has to report to them, and may, in the last resort, be dismissed by them, but only with the consent of the central government.

The system may seem drastic, even perhaps undemocratic, to those accustomed to the more generous air of Britain; but democracy is not necessarily of one pattern, any more than family life, and it is well not to judge too rashly of different forms.

The Irish experiment is based on what has been going on for many years in several of the cities of the United States. There, also, the laws or charters attempt to set out the respective spheres of council (or commission) and city manager, though in practice not always free from ambiguity, as is shown by the disputes which occur from time to time. Furthermore, the powers of the city manager differ from place to place: from the place where he may not be much more than the chief official of the council, responsible to them in detail and with duties which they may alter, to the place where his standing is similar to that provided in the Irish laws, with this difference, however—that he may be dismissed by the council. I should mention in addition that, owing to what I venture to think is a lower political development in local government, the city manager in the States too often becomes entangled in matters of policy, to the serious detriment of the system.

Prevailing Circumstances.

I have already indicated that the dividing-line between policy and administration is conditioned in practice by prevailing circumstances, in particular prevailing notions and sentiments, not necessarily the local circumstances, as the case of the Irish Free State shows, for the Cork council have tried hard to kick over the traces, but have found the central government firm.

The following factors are desirable in order to provide a firm foundation for right relations between the representative and the official: (1) The official must in public keep strictly aloof from matters recognized to be of policy; (2) the representative should

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clearly understand the needs of administration and of employing the expert for matters which cannot be efficiently performed without his services; (3) he must also be firmly convinced of official integrity, not just of financial integrity, but of an earnest intention on the part of the official to carry out to the best of his ability the policy of his representative superiors, without regard to personal predilections; (4) lastly, it is highly desirable that simple means should be provided by which the representative may judge the results of official work and is not expected just to trust the official with child-like faith.

Dealing with some of these matters in more detail, it is now a truism in Britain that the official, as such, must steer clear of political controversy. In the course of his career he may have to serve masters of different hues. He must render loyal service to each of them, and must studiously refrain from being placed in a position where doubt may be cast on his loyalty. This is still by no means so in all countries; it requires a mature stage of political development to attain a public service where masters with different policies can be served with equal fidelity and a public opinion that will accept this as a fact; even good-natured Pickwicks are too ready to believe that opposing counsel who fraternize must be scoundrels.

So important is aloofness from political controversy for official efficiency that it may sometimes be well that even matters of administration, which normally would be left to the official, should be undertaken by the representative authority itself if they arouse strong public feeling. But it is usually well that this should be done sparingly, only when the need clearly arises; and the need may often be avoided if care is taken to make clear that the official acts only as the agent of the representative authority and that the responsibility for policy is theirs.

The Necessity for the Expert.

I have previously stated that there was, and to some extent is, a long tradition in this country that local services should be rendered by laymen selected for the work, services which in earlier days, be it remembered, were many of them regarded not as a privilege, but as an onerous obligation, to be avoided if shift could. There is also a quite different reason, a new current in local government, which has contributed to the desire that the representative himself should do things—the extension of the franchise and the new class of representatives which it has brought with it, among whom, not unnaturally, there may be for some time, until experience tells, some distrust and a feeling that their will can find its

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way only if they keep their hands firmly on the wheel itself, even in small matters, a feeling helped by the fact that until they engaged in government some of them may not have had experience of management on a large scale.

Yet the relentless march of functions, the growing complexity of social conditions, the ever-widening sphere of duties bring with them increasing necessity for using the specialist. He, and almost he alone, holds the key to problem after problem, and he must be used. Modern government, therefore, seems to have reached a contradiction, in some respects a phase of the old world problem which has baffled men for ages, the conflict of spirit and matter, the one demanding more of self-government, the other insisting on more efficiency, with consequently more use of the specialist. I have said on another occasion that democracy and the expert have never yet really married, at best it has been but an uneasy union; the periodical outbursts against bureaucracy, silly as they often are, provide but one sign of it. One of the most urgent practical problems of the day is to marry the two; it can be done, but through understanding, not easy denunciations.

It is essential to this happy event that the representative should have firm faith in the integrity of the official, convinced that the latter can always be relied on wholeheartedly to carry out the policy of his official superiors, or to resign if he should ever find that his convictions will not enable him to do so; and on the side of officials, a clear standard accepted as a matter of course that this is their duty.

Our country has been fortunate in this respect. The happy course of our development in the last seven decades or so, with changes far more revolutionary than many choked in blood, all peacefully attained without catastrophic clashes, has matured this spirit of service in high degree, and there should be no difficulty in maintaining and in strengthening it.

Of simple means by which the representative may test whether the results which he expects are being obtained I will treat in more detail at a later stage. It is too important a subject, and hitherto too neglected, to be just incidentally discussed.

The Place of the Official in Policy.

Though the official should studiously avoid being responsible for policy, he has his place in it, but as the confidential adviser of his responsible authority. Major policies are usually determined by currents which lie deeper than thought, though thought may dress them in a show of reasoning, may settle their precise form and may even determine largely how effective the forces shall be. The reasoned treatises which are looked upon as landmarks of progress,

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even ones so influential as those of Bentham, are little more than giving a form and apparel to influences already at work.

And lest I should seem to be exalting the place of the expert in modern life, let me make it abundantly clear beyond misunderstanding (even though that be an utopian hope) that I do not believe in bureaucracy in control; further, that the expert is apt to underestimate, sometimes altogether to fail to observe, forces outside his accustomed sphere, that history shows time and again that none can be so confidently blind in some new world of ideas outside his usual range; in addition, that he is only too apt to see all the difficulties when new measures are proposed, that is a handicap of knowledge, to decry as impossible that which when pushed to the hazard is accomplished. The layman does well to listen attentively to the expert, but not always to be too dismayed by the troubles which he forecasts.

If the representative and the expert are to work to the best purpose, there must be the fullest confidence between them, almost like that of man and wife. The representative should welcome the frankest expression of opinion; and the expert on his part should speak with candour, which is not less candid if softened with tact, in the confidence of counsel, never mind whether his views do or do not happen to fall in with those of his official superiors. Thus alone can democracy be truly served; if she needs to be tricked up in subterfuges, she will soon decay.

Forecasting Results.

The expert official in a responsible position, with his wide experience, should be expert in forecasting probable results, expert also in suggesting means by which may be avoided, or at any rate reduced, the incidental consequences of ill results which may creep into the best of measures, particularly so in the case of new untried policies. If there is one truth which history enforces at every turn it is this, that some of the results of policies, perhaps the chief results, may be far different from those expected by friends or opponents, and the good of social reforms depends in no small measure on a close watch of these and on taking measures betimes to deal with them. The trained expert should render invaluable service here, as invaluable as in his particular sphere of implementing policies, of putting them into working clothes, as I have elsewhere expressed it.

But, as already emphasised, this advice should be given in the privacy of confidential counsel, with sedulous avoidance of publicity. That is the rock upon which the city manager movement may be wrecked in the United States, as is being increasingly felt by some of its most thoughtful observers in that country.

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Research by Officials.

There is a wide expanse of experience among officials. Those familiar with local government in Germany cannot but be impressed with the contributions made to local government thought by officials. They contribute more to the public study of problems, partly because of the richer inclination for research, partly because of the larger traditional freedom of officials, which in turn is partly to be attributed to the Burgomaster system.

Could not our officials do more, both individually and through their organizations, in this respect? I think they could, and that without in any degree trespassing on that official restraint of utterance which is our tradition. We badly need more considered research on our many problems. We need it not only from theorists (though their contribution is by no means to be despised) but also from practical men who can think. And there are few ways in which the official can render more lasting service to democracy.

The Electorate and the Division of Functions.

Even if a right notion of the relative parts of representative and official were implanted in the minds of both of them (and by right let me emphasise again that I mean that which is most likely to enure to the public benefit), this would not be enough. The electorate also need to know and to appreciate, otherwise more may be expected of the representative than is wise and responsibility attributed to the official which he should not carry.

One of the many problems which confront democracy is how the ordinary voter is to learn how government really works and to understand the real bearing of the big issues which are committed to his decision. Far the best way to learn how government works is to take an active part in it, or in service akin to it. I have already mentioned the debt of the country to the training which many a public man received in trade union, friendly society and similar organizations. But only a few can receive this training, and, indeed, not many will desire it. A sense of government needs to be disseminated throughout the community, through the schools, not least those for adults, through the Press and in other ways. Not by any means an easy task but nothing less should be the aim of democracy if the giant's strength is to be wisely used. There must be spread wide that feeling of responsibility without which power may easily be abused or, perhaps even more harmful, be stupidly applied.

TESTS.

One reason why there is a suspicion of the official, at any rate in some quarters, is that he is so much of an expert; the ordinary man, the ordinary representative, is apt to look upon him as some kind of

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a mystery-monger whom he cannot follow, who may be up to all manner of tricks behind screens of his own making, or perhaps like an Indian fakir making things seem far different to the mere layman than they really are.

I am not concerned for the moment to pursue the interesting question how far there are any grounds for these suspicions, except that I may be allowed to mention, incidentally, that the very manner of his training, his general attitude of mind, tends to make the official usually a fellow of remarkably honest intent. What is important is that measures be devised by which the plain representative, if I may venture to assume that he exists, may be provided, as part of the ordinary machinery of government, with simple means by which he can satisfy himself of the official's work, some objective tests, not just reliance on the official's own word. He is entitled to these measures if they can be compassed, for, as previously indicated, in the complicated conditions of to-day, it is by no means easy even for the expert, much less the layman, to be sure what is really being achieved, and, not less important, whether incidental consequences are being brought about which will largely nullify, perhaps more than nullify, gains which are won.

Indeed, clear and simple tests of results are as necessary for the expert as for the layman; objective yardsticks, independent of personal judgment or prejudice.

Efficiency Audit.

There is one sphere in which machinery has been devised for strictly testing official, and representative, activity, in the domain of finance, though the test is in the main only for legality and honesty. One of the noteworthy innovations of the last century in central government was the appointment of the Comptroller and Auditor-General, independent of Cabinet and Ministers and Departments, and directly responsible to Parliament, with the duty of making sure that all expenditure was according to Parliamentary decisions.

In local government, a central, but at the same time independent, system of audit has been set up for most local expenditure, though municipal corporations, with their ancient prestige and privileges, still remain outside it, but many of these provide for regular professional audit, though there are still not a few which rely on the old time-honoured system of audit by a man chosen by the mayor and two others elected, a system now most will consider out of date.

The primary duty of the auditor is to see that expenditure is legally and honestly incurred, but the good auditor will also keep his eyes wide open for ways in which efficiency may be improved, not only in the keeping of accounts (for that is part of his job and

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he is far more useful in suggesting ways in which fraud, for instance, may be prevented, than in detecting fraud already committed), but also in other ways, and his extensive experience of the work of a large number of local authorities should render him a most valuable ally in this respect. There is no reason why the principle of audit should not be extended to efficiency, as to integrity. It would be a more difficult task, calling for different qualifications; but ability would surely grow with the demand for it. The practice has already been adopted to some extent in the local government service, a number of local authorities having called in an independent expert to advise them. It would not be practicable to obtain one expert for all branches of service, at least he would be a strange paragon if arrayed with all the necessary ability; each sphere of work would require its own competent expert, not least important one who would be an expert on general organization, for each expert excusably tends to emphasise the place of his own particular sphere.

It would not be practicable, or profitable, to have a thorough audit survey of each branch in each year, as is done for finance. What might be done is to arrange that each branch of work should be systematically surveyed in competent fashion over a period of years, say five or ten years. It is a possibility which is worth considering—I do not wish to put it higher than that—a possibility which has the stronger case in public affairs because their administration may so easily degenerate into routine.

Unit Tests.

There is another direction in which there is ample scope for research, that of unit tests. This country was slow to take up costing, even in the industrial world. The stern trials of post-war depression, coming on top of some interesting experiments during the war, have greatly advanced the practice, though there is still very much to be done. Local authorities are well in the movement. A great deal is being done in trading undertakings. The practice is also making way in other local services, to the great benefit of efficiency and of economy. One of the most instructive lessons is furnished by the costing of public cleansing, a service which costs the ratepayers of England and Wales over £10 millions a year. The costing of this work has proved eminently successful and has helped not only to reduce expenditure but to obtain a higher standard of service, and more still will be accomplished, not simply because the provision of simple units of costs has given better means of measuring results but also because it has brought out a keener interest in the work, for representative and official. Not that all the statistics are satisfactory, far from it, but if a start is delayed until all is perfect, a beginning

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will never be made; wisdom endures many shortcomings if there is prospect of steady progress; if man never built until he was sure of a perfect city, not a house would ever be erected. The Ministry of Health have just issued suggestions for the costing of the work of sewage disposal throughout the country. The British Waterworks Association, acting with the Ministry of Health and the Association of Water Engineers, has for some years been issuing an annual statistical year book, which is steadily improving, and could be improved still more rapidly with more support from water undertakers.

By this time of day the question rather should be, not whether any department of local work should be systematically costed, but whether there are any exceptional reasons why it should not be, even quite small departments, just as the man is foolish who does not know how many miles he gets out of his car for each gallon of petrol. Not that the same elaborate costs would be kept for all departments, regardless of size. Costing can be carried to absurdities. It is not a luxurious toy, but a practical instrument. The expenditure can be kept within the limits of profitable return, but simple costs at small expense can be devised for even small departments.

Units of Efficiency.

For costing the battle has been won, though there is still much to be achieved. There is another sphere of unit tests for which the battle has scarcely been begun. Units of cost are not enough; we need also units of efficiency if we can get them, admittedly by no means an easy task.

The country where most is being attempted in this direction at the present time is the United States, in the vigorous efforts which are being made there to raise the standard of local government. It must be confessed that some of their efforts seem a little naïve and not of much value, but that is no reason for dismay, any more than the early ludicrous attempts at flying which have now led to such wonderful results.

In some spheres, tests of efficiency are, of course, now being constantly used, such as statistics of mortality, particularly of infant mortality, of the incidence of infectious diseases, of overcrowding, of the quantity and quality of water supplies and the like. What is wanted is a systematic attack along the whole line, with the aim of finding simple unit tests of as many public services as possible, which will serve as reliable indices of results, and in this attack officials, with the wide and detailed range of their experience, should take a leading part.

It has been said with much truth that knowledge advances to the

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extent that we are able to measure. The same is largely true of administration. We act as often as not on vague impulses, content with broad indications, apt too frequently to take for granted that the results we desire are being obtained, and the most important consequences may not mature for a generation or more, usually a mixture of good and ill, and the ill could often be much diminished if we had but some measuring tube by which it could have been foreseen in time. In industry, still more in science, there have been tremendous advances in devising more delicate instruments of measurement; similar advances are desirable in administration.

We are not gaining much on previous generations if we cannot contrive systematic means for more foresight, by which we can tell much more surely and much more quickly what are the real results of measures.

We must aim at simple tests; only the expert can understand the complicated; it terrorizes the ordinary man, and raises his suspicion, when, for instance, he is confronted with reams of figures. Simplicity of statement is one of the virtues of unit costs, and the same simplicity, if it can be achieved, must be the aim of units of efficiency.

I agree at once that this is a hard doctrine, difficult to attain, and that in the general field of administration there is as yet little light to show the way, but nothing less, I suggest, should be our objective.

CONCLUSION.

I have touched on but a few of the problems which confront local government, and have put forward some suggestions not in any dogmatic spirit, but more in the way of thinking aloud. I believe that the next half-century will see many changes in administrative method. There is ample scope for those concerned in local government, whether as representatives or as officials, to make their contribution to the advance of technique, and this advance is required by the growing complexity of the work which has to be done. Research is being developed more and more in industry as an essential element in efficiency. Its need and its value is no less in public administration, and I shall be surprised if in the coming years much more is not done by public authorities in encouraging it, and, wisely stimulated and undertaken, it will surely yield a rich future.

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ADMINISTRATIVE MEASURES

By I. G. GIBBON, C.B.E., D.Sc.

THE Local Government Act of 1929 is a landmark in the local government of the country. Its effects will be far reaching. It is proposed to give a series of articles on its effects—on administration that is—for of its politics it is not for us officials to write. I have been asked to provide an introductory article.

In some of its aspects the Act is the culmination of trends which have been steadily operating for over half a century. Its principal features may be summarised as (1) a further move, possibly the final, towards consolidating local government services, with more concentration in the larger authorities, and (2) the substitution of grants according to need for grants on a percentage of expenditure. In addition, county councils have to make a systematic review of the areas of county districts (that is, the areas of the non-county boroughs and of urban and rural districts), a task now under way. It is also to be borne in mind that a previous Act, the Rating and Valuation Act of 1925, had consolidated the work of assessment and of rate collection.

The larger the concern the greater the demand on organising ability. The Act of 1929 transferred to the county councils and the county borough councils the functions of Public Assistance, the old Poor Law, and also, to county councils, the charge for all public highways in rural districts and of all but the minor highways (all but Class I and Class II roads, that is) in the non-county boroughs and the urban districts, with certain rights of maintenance to those authorities to maintain their roads. Provision is made also for some changes in the distribution of public health functions.

One motive for the changes was to obtain larger areas of charge, because the burden was falling unevenly on some of the districts. Another motive was that the larger area was considered to offer opportunities for higher standards of administration, in particular, especially in the case of the Poor Law, that the transfer of functions from the

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special authority, the Board of Guardians, would provide means for correlating these duties with the other functions of county councils and county borough councils, which had grown so enormously since boards of guardians were first established in the early years of the last century, some of the new functions being closely akin to those of the Poor Law. That is, one of the objects of the very concentration of services was a still further specialization.

On the administrative side, the success of the Act must depend to no small extent on the measure in which correlation is genuinely effected. This will not be a simple task. It is so easy to administer any new group of duties just as an added almost independent department, and some have felt that this has occurred too much in the past, as in education. If the several functions are to be genuinely correlated, definite administrative machinery will be necessary to that end, and, not only that, but a warm spirit of co-operation developed between representatives and officials engaged in the several branches and a firm conviction that all are employed in a common service, with common interests. To depend on just haphazard co-operation is not enough, no more than it proved sufficient in military operations.

The powers in the Act enabling county councils and county borough councils to arrange that some functions of public assistance may be carried out, not under the Poor Law, but as part of the public health functions of the councils (the "break-up" of the Poor Law) makes an added call on administrative organisation. The upholders of the old Poor Law, for instance, laid stress on the family as the unit, and claimed that this point of view was automatically secured under the old *régime* but would be lost when public assistance came now from one department and now from another.

It is not necessary to consider here how far this ideal had already been lost before the Act of 1929 was passed, but this much can at any rate be said, that whatever the gain from administering services by an organ specially contrived for that purpose, for dealing with sickness, for instance, by a department of which that is the special task, and the advantages of specialisation are obvious, there is a danger in this very specialisation of neglecting other aspects which, in the long run, may be even more important, dangers which can be met only when administrative organisation and measures are adequate to deal with them.

Increasing specialisation is a feature of the age in all spheres of life. Some of the changes wrought by the Act of 1929 are from one point of view part of the general movement. This specialisation has

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contributed to remarkable achievements. The danger is that life and its needs may not be seen whole, which, stated in terms of administration, is a danger that parts of the machine may in themselves function admirably, sometimes almost too admirably, to the neglect of the greater benefits of administration as a whole. One task which lies before administrators is to devise means by which the two needs and advantages may be assured. In the body social, just as in the body physical, grave disorders may arise if different organs proceed each on their independent way.

The Act provides that certain functions may be delegated to other bodies than county councils. Guardians' committees have to be appointed to deal with individual cases of relief, under the general direction of the Public Assistance Committee and the County Council. The councils of boroughs and urban districts with a specified population have the right to claim to maintain roads at the charge of the county council, and this function may also be delegated to other councils. County councils are empowered to formulate schemes for constituting areas for hospitals and for employing whole-time Medical Officers of Health. Indeed, in this and in other ways, the Act is a new endeavour, and a necessary one, to co-ordinate more closely the work of county councils and of county district councils; for instance, the new duties of the county councils will require from them a much more active part than before in the important work of town and country planning.

In this respect again there is a call on administrative ability, in order to ensure right and friendly relations and to obtain the best results, for it is usually far easier, though by no means necessarily better, to do a job directly, through machinery under one's own immediate control, than to perform it through an agent. It is the same problem as arises in modern family life, co-operation in place of autocracy, calling for more thought and more deliberation.

Misgivings have been expressed that the new duties will burden too heavily the members of county councils and county borough councils and that they will add to the powers of that bugbear of the British mind, bureaucracy. Heavy burdens are unquestionably cast on public representatives, and at the same time it is important that the general public shall not have any cause for suspecting that the official is trying to arrogate to himself functions that properly belong to the chosen representatives.

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All this can be achieved if proper administrative arrangements are made, if there is a clear demarcation between what belongs to the representative and what is the duty of the official, and if it is also made abundantly clear that the official is but acting as the agent of his representative superiors. And it is equally important that the latter, in order that they may be the freer maturely to consider and to decide on matters of policy, should not be unnecessarily burdened with matters of detail which do not involve more than the carrying out of policies on which they have already decided, and this same consideration is also important in order that the best men may not hesitate to come forward for public work. Indeed, the very volume of work may lead to still higher standards of administration, while at the same time the official keeps meticulously to his proper sphere.

The Act provides that certain public health grants which previously were made on a percentage of approved expenditure are in future to be distributed ultimately on the basis of need determined according to specified criteria, with special arrangements, modifying the ultimate intention, for a period of years. In addition some other grants and the money found by the Exchequer to make good the loss from the de-rating of agricultural land and the partial de-rating of industrial establishments and railways and docks, are to be similarly distributed. It is to be remembered, however, that the large grants for education and police, in which the Central Government have special interests, will still be distributed on the percentage basis.

The new method of distributing grants will give a new freedom to local authorities. They will have more scope for initiative and will be less inclined to look to the Central Department, and in this respect also fresh opportunity is afforded to local administrative ability.

Parliament has made the law; its administration rests with the local authorities. It is on them that the results of the Act will mainly depend, and it is for representatives and officials to devise administrative machinery and methods equal to the occasion.

Administrative Features of the Local Government Act, 1929.

By FREDERICK SMITH, B.A., F.G.S. (*Town Clerk, Coventry*), and
SYDNEY LARKIN (*City Treasurer, Coventry*)

IT is difficult for officials to view local government legislation in the right perspective, for it is at once of no importance and yet of the utmost importance. A perusal, for example, of Morley's *Life of Gladstone* reveals no reference at all to such epoch-making enactments as the Municipal Corporation Act, 1882, the Public Health Act, 1875, or the Local Government Act, 1888. In regard to the Local Government Act, 1894, there are a dozen words to the effect that the Lords "maimed the Bill for parish councils." Yet, in the period from 1870 to 1890, these enactments must have appeared to the official of that day as of the most momentous character, while their importance to the daily life of the people was certainly not negligible. We cannot, however, escape the conclusion that Morley was right in making no mention of these measures, for they were not, from the politician's point of view, matters of national importance. Already public interest in the Act of 1929 has dwindled to vanishing-point. Industrialists know they have been substantially "de-rated," but would hardly know the title of the Act which conferred that blessing upon them. The abolition of the guardians was a natural sequel to the patent indifference of the electors, and the man in the street cannot manufacture excitement over the abolition of something in whose existence he was simply not interested.

As part of the machinery of government, on the other hand, all these Acts are of vital importance, for they guide administration, and in our complicated democratic system are part of the life of the local government official.

The Transfer of Guardians' Functions.

The transfer of these functions has had different effects in different areas. In those few places where the county borough and the parish were conterminous, and there were no unions of parishes,

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the transfer was a simple matter, and its very simplicity constituted a danger that the Guardians would persist, in body and in spirit, in the new public assistance committees. In other places, the abolition of the guardians involved two immediate changes of major importance: (1) A reduction in the area rateable for the relief of the poor, coupled quite possibly with no change in the number of poor to be relieved; and (2) the allocation of institutions as between the areas comprising the former union, which allocation is of course only soluble on the basis of the particular facts of each case. It has been possible, however, even in these cases to emphasize the fact that the old poor law system has gone and that the institutions are no longer in use as guardians' institutions.

One of the chief objects of the Act being the abolition of the guardians, it is clearly implied that every possible step must be taken to provide in other ways for those who came under the care of the guardians. Each council had to prepare an administrative scheme, and in formulating it had, of course, to take into account the institutional accommodation available. County boroughs (except the very largest) are here in a rather different position from counties, who have taken over a greater variety of institutions and can readily organize them for the varying purposes for which accommodation is required. The county borough, on the other hand, is generally more cramped, and in many instances it is found necessary for the present to continue work more or less on "guardian" lines.

Many interesting questions arose in the framing of the administrative schemes. The Ministry of Health helped a good deal by issuing a model form, but scope was left to the local councils to adapt this to their particular requirements. In the opinion of many, the arrangements made when school boards were abolished under the Education Act of 1902 were such that the new education committees became in far too many cases more or less independent bodies; and the administration of education tended in consequence to fall too completely for good administration into a separate compartment, remote from the general work of the councils. In taking over the work of the guardians, however, this mistake does not appear to have been nearly so general, and there seems to have been a conscious effort to link up the transferred functions closely with the council's general administration, which is altogether to the good.

Boundary Questions.

Section 46 of the Act is of considerable interest to county boroughs. The review of county districts which the section re-

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quires, while primarily a matter for the counties, vitally affects many county boroughs, particularly those which have on their borders—as most growing boroughs have—developments of an “out-growth” character. The section recognises that county boroughs have an interest in the matter by providing that the Minister of Health is to give them an opportunity of laying before him their views upon the proposals of the counties. This, however, does not appear to confer on boroughs any definite *locus*; for instance, at the local inquiries held upon the counties’ proposals, the county boroughs, apparently, are not entitled officially to appear or to test by cross-examination the evidence tendered by the counties. Doubtless the inspectors would take note of anything they might wish to say; but this is very different from their having a definite *locus* to oppose or to submit alternative proposals. In this connection it has to be borne in mind that, while Section 49 makes provision for county borough extensions on a joint representation being made to the Minister of Health by a county council and a county borough council, the Minister has no power, in the absence of a preliminary agreement between the councils, to enforce a county borough extension, however desirable such a proposal may be on its merits.

Further, the view is held by many of great experience in local government that a review of county districts, once confirmed by the Minister, will constitute a more or less permanent settlement of boundaries, or at any rate a settlement which it will not be easy to upset. This makes the position of growing county boroughs very difficult, for, having no effective voice at the initial stage when the counties frame the proposals, they are likely to find it hard to secure subsequent boundary extensions, because the counties will be sure to contend (in some case, doubtless, quite properly) that, as a considered scheme has been thought out and officially approved, it would be wrong to grant extensions which might change very essentially the basis of the scheme. It seems, therefore, that Section 46 may accentuate the long-standing conflict between county administration and county borough administration, and may lead to some rather severe contests. Indeed, in certain cases county boroughs have already felt compelled to promote boundary extension bills, as being the only effective means of safeguarding their legitimate interests. This is unfortunate; and it is by no means a sufficient answer for the counties to reply that their boundary review will only operate for a limited period and will then be subject to further review, because the initiation of the further review lies with the counties, and, even when the time for it comes, the boroughs will be in virtually the same position as

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before so far as status is concerned. The setting up of really "scientific" boundaries is, therefore, likely still to be a matter of considerable difficulty, for it is probably asking too much of human nature to expect counties to show sufficient magnanimity actively to promote the "intrusion" of boroughs into their territories.

Altogether, this part of the Act is extremely interesting, and the developments of the next two or three years will be of some concern to those who have the true welfare of local government at heart. The general tendency of the Act is undoubtedly to strengthen county councils by vastly widening their scope and influence; and whether this is a good or a bad thing depends largely upon the view held as to the best ultimate form of local government. Probably the Act will retard rather than help forward the idea which some administrators favour, and which has found expression in the pages of this Journal, of councils with widely extended powers, but with an organization based essentially on borough government, administering wide regions of the country.

Joint Services.

In respect of some services, county boroughs may find it desirable to combine with neighbouring counties or county boroughs in regard to institutional treatment. Such combination, owing to the peculiarly high state of development of local government in the average county borough, is seldom successful. It is not generally realised that, in creating the county borough, with its wide powers, its close touch with actualities and its trained staff, Parliament has produced an organization which does not "mix" well. It is accustomed to manage its own affairs and not those of others, and joint boards and joint committees are not found so efficient as the county borough council itself.

The advanced state of development of a county borough will, no doubt, reflect itself in the administration of such a service as outdoor relief. The guardians were accustomed to the "leading strings" of the central departments, and their officials happily worked under rigid regulations imposed from above. By the transfer, the work is placed in the hands of representatives to whom standardized and cast-iron action is foreign, and who are served by officers accustomed to work on their own initiative, subject of course to the law, and to the decisions of their councils, rather than under direction from Whitehall.

Hospital Services.

In consequence of the Act, a large number of poor law hospitals have now become general municipal hospitals, not in most cases by the making of "declarations" in the administrative schemes,

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but by the rather ingenious device of "appropriation" under the Public Health Acts Amendment Act of 1907, or of powers contained in local Acts. The change in the status of the hospitals appears likely to involve far-reaching consequences, especially for the voluntary hospitals.

The required co-ordination of hospital services has given rise to at least one pretty problem of financial adjustment which intimately concerns the public at large. Wherever a county borough runs a general hospital, there must be some sort of competitive and supplementary service between that hospital and any voluntary general hospital in the same area. "Competitive" means that, in the mind of the public, there will be preference for the one hospital or the other, and "supplementary" means that the two hospitals must of necessity cater, in the long run, for the same classes of cases.

The financial difficulty arises because, under Section 16, the council must recover from any person who has been maintained in an institution the whole or part of the expenses incurred in his maintenance. A large proportion of potential patients of the municipal hospital would normally be entitled to free treatment at the voluntary hospital, either by reason of their own contributions to hospital funds or by virtue of subscriptions made by their employers or others. If an individual in this class is received into the municipal hospital, and is in a position to contribute towards his maintenance, he receives in due course a bill for the maintenance. Having been a contributor to the voluntary hospital, or having expected hospital tickets from a philanthropic source or from his employer, he naturally resents the charge for maintenance. It is true that Section 16 provides that the council may agree to accept contributions from associations in respect of the treatment of their members, but the effect is, of course, to reduce the income of the voluntary hospital which previously received the contributions, and unfortunately it by no means follows that the voluntary hospital receives fewer cases by reason of the cases treated at the municipal hospital.

It appears likely that the result may be—in certain instances, at any rate—a change in the whole basis of the subscribed funds on which voluntary hospitals have so largely relied, and it may be that, instead of being in the nature of free-will contributions, such funds will be in future on an actuarial basis, giving guaranteed rights of treatment in return for the contributions. If so, the general effect on voluntary hospitals is likely to be profound. It was Mr. Neville Chamberlain's expressed wish, in bringing forward the Act of 1929, that the voluntary hospital system should not be

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prejudiced; and, as he often said, he saw no reason why the two systems—municipal and voluntary—should not work side by side. Facts may, however, prove too strong for this, and it certainly looks as if the Act is accentuating the tendency towards the municipalisation of voluntary hospitals. This, in the opinion of many, would be a regrettable result.

Abolition of certain Percentage Grants.

Dr. I. G. Gibbon, in his interesting introductory article on the Act of 1929, suggests that it may represent the final move in consolidating local government services; and this is largely correct so far as county boroughs are concerned because there is little left to consolidate. It is, however, unlikely that the Act really represents finality in what is now termed "local government." The striking changes in borough government in the last seventy years are probably not greater than the changes of the next seventy—and there are signs of instability to-day, as there were in the past.

It is not generally admitted that finance is the most interesting branch of modern local government, but it is a fact that local government has to be paid for. In everyday life small luxuries or necessities may be acquired in one of three ways: (1) they may be bought in the ordinary way; (2) they may be acquired on the instalment plan; or (3) they may be obtained at the expense of someone else.

It is an unfortunate fact that in recent years the third method of providing local government services has been becoming increasingly popular. It was quite early that local authorities said to the Government: "Yes, we will have a Medical Officer of Health if you will pay half his salary." The process continued until local authorities would scarcely provide highways, police, education, or milk for babies unless half the cost were contributed by the Government. Financially, this represented a morass, for the percentage system of Government grants really implies the negation and the destruction of local government. The partial abolition of percentage grants by the Act of 1929 represents a real forward step, and their retention in the case of police, education and unemployment relief works is a recognition that those services are not really local services, though they are allowed to remain ostensibly local. It may be observed, in passing, that the finance of one of the most important county borough services—housing—remains chaotic and urgently requires attention.

The abolition of percentage grants in the case of public health and highway services will, it is hoped, carry in its wake not merely recognition of the ability of county boroughs to decide what are

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their needs, but will also develop the capacity to provide the necessary services. If there be any truth in the allegation as to a decline in the calibre of those who undertake local government service, not a little of the blame is due to the central departmental control involved in the percentage grant system; for it must of necessity have weakened that sense of responsibility which is the first essential for effective local government.

De-Rating.

The de-rating provisions of the Act represent a retreat from some of the consequences of modern local government. The de-rating of agricultural land is of comparatively minor importance, but the partial de-rating of industrial premises is of major importance. County boroughs used to reckon working-class dwellings as an unprofitable form of rateable value; shops and good-class residential properties as about paying expenses, with perhaps something over; and industrial premises as really profitable. In future, the building of new factories in an area will be an event lacking in interest so far as rateable value is concerned, though of course it may be of much importance to the area on other grounds.

The effect of the substituted grant has yet to be judged. The abolition of the old system of grants and rating necessarily involved the payment of a quantitatively similar grant. The fairly general dissatisfaction as to the amount of the new grant need not be discussed, since the discontent is merely a natural product of the percentage grant system. The formula of the new grant—although it has been much criticised—will have the definite effect of distributing grant money according to the needs of the areas. The erection of working-class dwellings in an area will in future not be regarded with so much distaste from the rating point of view, except in so far as police and education are concerned. Police expenditure is at present not sufficiently great to cause concern, but the retention of the percentage grant system in education will render de-rating unpopular, for it throws a greater burden on the occupiers not de-rated, with no corresponding provision for recoupment. The quinquennial revision of the new grant, and the provision that the general exchequer grant will be adjusted in total so as to bear the same proportion to the local total expenditure as it does now, should go, however, a long way towards allaying suspicion.

Conclusion.

It is too early to say whether the Act has achieved what was claimed as one of its chief objectives—economy in local government. Believers in social legislation never agree that human beings

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cannot be made better by Acts of Parliament, but probably everyone will recognise the unlikelihood of securing economy through Parliament. Economy is an ambiguous word. In one sense, it *must* be secured where two organizations rendering a service amalgamate to provide single control. In another sense, it should be secured where the control of spending is placed in the hands of those responsible for raising the money. In a further sense, it should be a consequence of a revision of government subventions in favour of distribution according to needs, rather than according to money spent. But economy is an elusive thing, and it is, of course, a platitude to say it involves a complete change of heart. Certainly it is unpopular at the moment.

Perhaps the most that can be safely said at present is that the Act of 1929 does enable the councils to exercise economy, if they feel so disposed. And could any Act do more?

Administrative Features of the Local Government Act, 1929

By CECIL OAKES

Clerk to the County Council of East Suffolk

THE scope of the article I have been asked to write being rather indeterminate, I have interpreted its objective to be the description of the methods which may be adopted to operate some of the principal parts of the Local Government Act, 1929, particularly in relation to rural counties.

Poor Law.

With the transfer to the County Council of Poor Law administration from bodies exercising special functions only, the need for new local organization arose and a choice of methods was permitted by Parliament.

The administrative scheme which county councils were called upon to prepare of the arrangements proposed to be made for discharging their functions had to provide for the constitution of a committee of the council called the "Public Assistance Committee," to which stand referred all matters relating to the exercise by the council of their Poor Law functions; it was open to each county council to adopt one of the following means of discharging this obligation:—

1. To appoint an *ad hoc* committee comprised
 - (a) entirely of county councillors, or
 - (b) partly of county councillors (with a two-thirds minimum) and the balance of co-opted members, of whom some must be women—a curious provision, as no women need be appointed to it if the committee consists of county councillors only;
2. To direct that an existing committee should act as the Public Assistance Committee;
3. To prescribe that the members for the time being of any existing committee should so act.

In rural counties there has been a tendency to utilise existing committees, but more generally a new committee has been estab-

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lished; there is much to be said for making such a vast piece of work as the whole Poor Law system of a county the sole reference of a committee.

The Council may empower any of its other Committees subject to the general control of the Public Assistance Committee to discharge any Poor Law functions. For example, this enables the care of the necessitous blind to be undertaken by the Blind Persons Act Committee, and likewise the Mental Deficiency Act Committee may be empowered to deal with cases which in the ordinary course would fall to be dealt with by the Public Assistance Committee.

The need for systematic co-operation between various Committees of the Council will be apparent; the Public Assistance Officer must act as a liaison officer and prevention of overlapping is a matter in which the officers of the Local Authorities can most properly bring their influence to bear: this is eminently their sphere while the members of the authority co-ordinate the policy of the various committees dealing with allied matters arising out of the transferred functions. When the Public Health Committee is constituted as the Public Assistance Committee the danger of new work being relegated to a secondary position needs to be faced, particularly as the administration of actual relief itself is dealt with by sub-committees; it has the advantage of conserving man power; it brings Poor Law into the body of Public Health and as the legislature has decreed that as soon as circumstances permit all assistance which can be provided under the Public Health Act, 1875, the Local Government Act, 1888, and the Public Health (Tuberculosis) Act, 1921, shall be so provided and not by way of poor law relief, it tends to make easier the assimilation of this branch of poor law with the general medical work of the council.

Some local authorities have availed themselves of the power to co-opt members on this new committee so as to utilise the special knowledge acquired during many years' service by members of boards of guardians and by others who have given thought to the subject; the one type will gradually cease to exist but the other will always be of value in supplying skilled judgment and correcting perspective. The interests of the ratepayer would appear to be protected against extravagance or the pursuit of mere theoretical desiderata by the two-thirds minimum of county councillors. It is too early to determine which method of discharging these functions will prove best in practice; if that which meets the local needs most adequately is adopted, success will attend it as there is no absolute best.

To deal with the applications for and the granting of relief to necessitous persons local sub-committees, for areas of one or more

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county districts, of the Public Assistance Committee must be set up, known as Guardians Committees comprising from 12 to 36 members. The composition of these sub-committees is (a) district councillors from every district in the area nominated by the district councils; (b) county councillors representing electoral divisions in the area; and (c) other persons appointed by the county council including women; county aldermen but not county councillors are eligible for appointment in this category.

The Act enjoins county councils in selecting the persons under category (c) to have regard to the desirability of including guardians and persons experienced in Guardians Committee matters.

A Guardians Committee may appoint its Chairman or a representative to attend the Public Assistance Committee when business specially relating to the area of that committee is to be transacted. It will be seen that there is ample scope for co-operation between the district councils and the county council in public assistance work; as public assistance has ceased to be a union charge and becomes a general county charge, so the need for uniformity in administration of relief is increased. That intimate knowledge of the circumstances of individual applicants for relief which was the subject of flattering comment during the debates on the Bill when before Parliament, may not be possessed to the same degree by these hybrid Relief Committees; its place has been taken by the knowledge of general conditions of the area and a complete measure of uniformity over the larger area of each Guardians Committee now prevails. Likewise the county council and the Public Assistance Committee are able to ensure uniformity over the entire area of charge in the administrative county, either by the county council laying down in its administrative scheme limiting conditions governing the grant of relief by Guardians Committees or through that effective consultation between the Guardians Committee and the Public Assistance Committee which is prescribed by the statute.

County councils have had to make arrangements for the management of the large number of institutions, hospitals and homes which they have taken over. In the smaller areas one central committee is able to undertake the work effectively; where the area is larger and the institutions are numerous it has been found convenient to request the local Guardians Committees to undertake this duty as well as that of visiting and inspecting the premises and the inmates: where these latter duties are not undertaken by a Guardians Committee, a House Committee to visit and inspect must be appointed by the Management Committee. Sub-committees of women, including in many cases both members of the county council and others, have generally been authorised to visit women and children in these

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buildings and to inspect the wards. Many of the women who have for years devoted loving labour to visiting the women and children in Poor Law Institutions and Children's Homes have been co-opted upon these sub-committees, to their own pleasure and the great benefit of the inmates of the places they continue to visit.

The policy which the Ministry of Health have for some years recommended to Boards of Guardians, of combining for purposes of vagrancy, has had the seal of parliamentary authority set to it; two or more county or county borough councils may apply to the Ministry for an order to combine their areas for any purposes connected with the administration of poor law functions. The Minister of Health is also empowered—without being moved by the local authorities—when he is of opinion that the combination of any two or more authorities would tend to diminish expense or would otherwise be of public or local advantage, to make a Combining Order. Large scale combinations, sometimes of the county council and the several county boroughs adjoining the county, in other instances of a number of county councils with their adjoining county boroughs, have been formed by the Minister of Health in response to local request.

These combinations operate through joint committees upon whom usually is laid the duty of deciding upon the general lay-out of the provision for casuals in the area; they recommend to the Minister the closing of wards no longer required; they either recommend to their constituent councils or themselves decide according to the terms of their appointment which wards should be retained, enlarged, improved or altered and deal similarly with the provision of new wards either alone or in connection with existing institutions.

Reference has been made to the various methods which it is open to county councils to adopt for the management of their new institutions: there is a major problem which cannot be solved by these local Management Committees and from the nature of the case was incapable of being tackled by boards of guardians in county areas. How best can these institutions be used in the general public social service structure required to be maintained by the county councils? During this first year since the transfer of poor law functions the Chairmen of the Public Assistance Committees and of Guardians Committees, County Medical Officers of Health and County Architects have been busily engaged in inspecting, appraising and reporting to the Public Assistance Committees and county councils upon the future use of these institutions; one feature emerges in nearly every county, the need for reclassifying institutions and fortunately the existence of this need coincides with the power of the county council to meet it. Thus the chronic sick and infirm can be kept together in

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simple types of institutions where they will be undisturbed by troublesome patients; the acute cases of sickness can be concentrated in the more up-to-date infirmaries where they will have special nursing and medical facilities, and the mentally defective can be housed either in a separate institution if the number is sufficient for the establishment of an economically managed institution, or in separate mental wards, where they are removed from influences which hinder their progress and looked after by attendants who have special qualifications in mental nursing.

The hospital system of the rural county thus made available in the hands of one authority for the use of all, will form a valuable adjunct to the voluntary hospital service in operation; it will enable the public health service to be completed in areas where distance from existing voluntary hospitals has been a difficulty. County councils are required to consult with the governing bodies and medical and surgical staffs of the voluntary hospitals providing services for their area, when making provision for hospital accommodation under the Act; the cordial manner in which the approaches of the local authorities have been met by the representatives of the voluntary hospitals is an earnest that there will be no attempt to compete with the existing hospital service and that efforts to secure the correlation of the two services will be successful.

One problem which faced the new authority last year was the assimilation of the conditions for all the children entrusted to their care; the adoption of that type of home which appears best to meet the needs of the particular area has been their aim. Generally it is felt that the elimination of the very small home and concentration in those where there can be some corporate life and better facilities for training in useful habits, are desiderata.

The manifold duties and powers entrusted to the county council have been accompanied by new problems relating to staff; a large group of officers, male and female, have been involuntarily transferred to the service of the county councils and endowed with the maintenance in their new sphere of their existing conditions of service. These conditions of service have been found to vary between rather wide extremes and one of the major tasks which faced the County Staff Committees on the transfer was the need for bringing about as speedily as possible some co-ordination between these conditions of service and those appertaining to their existing officers. This problem has not admitted of any rule of thumb solution; it is in process of being solved by mutual goodwill to the satisfaction of the parties and without hardship to the county ratepayer. The Statute safeguarded the pensionable rights of the transferred officers irrespective of the existence of any superannuation scheme for other officers of the local

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authority to which they were transferred; in cases where such a scheme did exist the officers came under it unless they exercised their right to remain under their former scheme, and the local authority has to make the necessary adjustment in its contributions to the super-annuation fund in consequence of the accession of such officers.

Some of the earliest tendencies discernible under the new regime include the extension of the functions of transferred officers so as to improve their status, a speeding up of the movement from part-time to whole-time service, and an enlargement of area of duty by provision of the means of easy transport. The quality of the officers transferred has been uniformly high and the endeavour of the county councils is by the steps mentioned to attract an even higher standard of entrant to this new branch of their service.

As regards the administrative staff required for the effective execution of the policy of the Public Assistance Committee a variety of methods is in being; doubtless finality has not been reached in this matter and in the light of experience changes may be made in systems now in operation. These may be classified broadly into those which employ a Public Assistance Officer at county council headquarters with a local clerk to each Guardians Committee who may be a whole-time officer or often a part-time officer, in the latter case generally a clerk to a former board of guardians, and those, which in addition to their Public Assistance Officer employ officers at headquarters who staff the various local sub-committees. The Public Assistance Officer must be the co-ordinating officer of all the work of the committee, and in constant and direct contact with all branches of the work, and with all principal officers, indoor and outdoor, engaged in administering public assistance in any form; further there is need for him to work in close harmony with the Public Health, Education and Finance Departments of the council and to feel no hesitation in praying in aid of his work the legal and administrative advice and assistance of the Clerk of the Council.

It will be seen that the transfer of poor law administration to county councils has resulted in concentration of functions which is not necessarily identical with centralisation; the decision whether or not to make these coincide is one of moment and only to be solved in reference to the situation and circumstances of each local authority. One advantage to the ratepayer has already emerged; the possibility of making large scale contracts for the purchase of the numerous foodstuffs and other commodities required at all the various transferred institutions, on better terms than were possible for individual institutions or homes. Effective organisation is necessary to ensure prompt compliance with requisitions for supplies, particularly those relating to foodstuffs in cases where a trader has secured orders for

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institutions at a distance from his depot. Whether the contracts are let directly by the Management Committees of the institutions or by the Public Assistance Committee itself is of minor importance; the enlargement of the scope of the contracts results in a saving to the ratepayer. In some counties a committee has been set up to consider the possibility of co-ordinating purchases for all the departments of the council's work, including Poor Law institutions, schools, hospitals, sanatoria, homes, police stations; it is believed that further extensive economies can be made thereby without detriment to any of the interests concerned.

Highways.

The effect of the transfer of the burden of the entire cost of the maintenance and improvement of all public highways in Rural Districts has varied according to the policy adopted during the past forty years by each county council in "maining roads"; in some counties practically every highway other than grass tracks had been "mained" and the maintenance charges had been a general county charge for many years: in others hardly one-tenth of the total mileage of public highways had been declared to be main roads. The consequential financial results of this part of the Act have been as widely divergent: in some counties no change in the ratepayers' burden has been made, while in others a local highway rate of 5s. in the £ has, through the spreading of the burden, been reduced to less than 1s. 6d. in the £. Further reduction in financial liability of the ratepayers may be looked for owing to the opportunity afforded to the one responsible authority of effecting economies by purchases of large quantities of materials and plant, by the fuller use of existing plant now made possible and the possibility of using the latest labour-saving machinery and appliances which were not available in many of the smaller rural districts. The chance of some of these potential financial advantages being offset by a demand for a higher standard of road construction and maintenance at the hands of the larger authorities is a factor which has not become visible yet owing to "time-lag."

Progress towards uniformity in standards of maintenance should become visibly and increasingly manifest owing to the unit of administration being the county; the absence of any approach to uniformity is apparent to anyone motoring through the English countryside to-day. With the powerful aid of the Ministry of Transport, which is specifying standards of construction of roads and bridges as a condition of the expenditure thereon being grant-earning, there is reason to expect that at no distant date we may be able to motor for a whole day across the country on roads of a uniform method of construction and of an excellence which shall not fall behind that of the French

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routes nationales. The operation of those provisions of the Act which empower rural district councils—the case of the urban districts is omitted as the major roads therein have become a county charge and the minor roads and streets still fall to be repaired at the expense of the urban authorities—to apply to the county council to delegate to them as the council's agents the functions of maintenance, repair and improvement of classified and unclassified roads with an appeal to the Ministry of Transport should the application in respect of unclassified roads be refused, has been most varied. Only in twelve counties in England and Wales has delegation of all unclassified roads been so granted and it appears that the county councils have remained directly responsible for the upkeep of the great majority of the classified roads and for the larger proportion of the mileage of the unclassified roads. In some counties a happy solution has been reached, of local committees composed of representatives of rural district councils in an area and of the county council, charged with the oversight of all county roads in that area, classified and unclassified, subject to the general supervision and financial control of the county council. The Act has not been in active operation long enough to enable the onlooker to judge what the final outcome will be nor to forecast which of the methods possible within the Act will yield the best practical results.

Review of Local Government Areas.

The changes brought about by the transfer of Poor Law functions to county councils and the termination of the existence of rural district councils as Highway Authorities made it necessary for a systematic survey of the boundaries of local government areas to be undertaken: these areas have grown on no considered basis; new duties have been cast upon existing local authorities without regard to their suitability to undertake them or their financial capacity to sustain them, but merely because they were in existence at the date of the creation of the added responsibilities. The Health Services which fall to be discharged by the Sanitary Authorities whose boundaries were first delimited in 1872 have grown in response to an awakened public opinion and in conformity with the advance in medical and scientific knowledge. Powers and duties have been conferred and imposed upon authorities which in many cases could not use them; some areas went without provision for certain services while others provided them at a cost which was a heavy burden upon the local ratepayers and yet could not be lightened by the expense being shared with a larger community because the latter chanced to be situate in a neighbouring area for administrative purposes.

Parliament has accordingly decreed that every county council

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shall undertake a systematic survey of all the smaller areas of local government in the administrative county, and having made this review the council is required to submit to the Ministry of Health by April, 1932, its proposals for the revisions shown to be necessary for the purpose of constituting authorities which shall be financially capable of supplying the essential sanitary services as a general rule without further assistance. It may be noted that the tendency to enlarge the area of charge for local services observable in the process of extension of the incidence of Poor Law expenditure from the parish basis prior to 1834 to a county basis in 1930, is evidenced by the power conferred upon councils of rural districts to contribute from their general rate to special expenses of parishes and upon county councils to assist those district councils in their expenditure upon works of sewerage or sewage disposal or on the supply of water or the improvement of such supply. It is not intended that this review shall settle the future configuration of local government areas for all time; population shifts, interests widen or vary and in dealing with the complex system of human relations with which so many of the services administered by local authorities are now concerned finality cannot be obtained at the first remove: appropriately therefore the county council is required to make a further review and to submit to the Ministry of Health any proposals for alteration that have become manifest, every ten years after the first general review. So large a part of the burden of the cost of local services having now fallen upon the county council the importance of the work of these bodies has been vastly increased; of the total rates paid by the average ratepayer in rural counties during the first financial year of the operation of the Act, in most cases more than 90 per cent. represents a payment towards the expenditure of the county council.

These increased responsibilities have resulted in some county councils seeking to increase the number of their members and in all being under the necessity of reviewing their committee system, in the creation of new committees or the rearrangement of the duties of existing committees, and in the time the members of the council require to give to their work and the distances they travel being vastly extended. The legislature saw fit to empower county councils to have regard to these factors by undertaking, if they thought proper, to reimburse to their members their travelling expenses when engaged on council business or on the work of a committee which relates to the affairs of the whole county.

The Effect of the Local Government (Scotland) Act, 1929, upon City Government in Scotland

By Sir ANDREW GRIERSON, LL.D., S.S.C., J.P., and
J. D. IMRIE, D.Com., A.S.A.A.

THE Local Government (Scotland) Act of 1929 was in some degree more far-reaching in character than the complementary measure passed for England in the same year. In addition to providing for a reorganisation of the Public Assistance, Mental Deficiency, Lunacy, Public Health and other Services, the Scottish Act also directed that the *ad hoc* system of administering Education was to cease, the functions of the former Education Authorities being transferred to the County Councils, with the exception that the Town Councils of the four large cities, Edinburgh, Glasgow, Aberdeen, and Dundee, were to control the educational services in their areas.

It is to the credit, therefore, of the soundness of Scottish Local Government administration that the revolutionary changes effected by the Act have, generally speaking, been carried out with a minimum of administrative friction.

While it would be difficult in a short article to review the position from the standpoint of Scottish Local Government administration taken as a whole, an attempt can be made to visualise the effect of the Act in its relation to city government. The four large cities already mentioned now control all the local government services in their areas, and if the Act had done nothing more than devolve upon one body the duty of reviewing the relationships of the various services in each area and of taking steps for their co-ordination, it would, as the short experience gained has proved, have amply justified itself.

Initially, so far as the administrative side is concerned, the greatest difficulty seemed to be that of devising an efficient system for the carrying on of the work of each council and the appropriate committees. Standing committees are a feature of all local government organisation, and it was feared in some quarters that the addition of so much new work to the existing heavy duties falling upon elected

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representatives would result in a clogging up of the machine. In order to make certain that the wheels of local government would run smoothly, the view was taken in Edinburgh, for example, that devolution of powers from the Town Council to its committees should of necessity be a cardinal feature of any new organisation which was set up. Some of the other cities did not proceed upon quite the same lines, but in all of them there followed upon the passing of the Act a measure of administrative reorganisation. If we may be pardoned for quoting the Edinburgh example, it may be explained that in that city the general principles adopted included provision for a properly organised system of committees, acting under as wide a delegation as possible, subject to the general qualification that power to enter into financial commitments should be as restricted as possible. It was recognised that the parent body should always retain a strict control of finance, and as this point was already dealt with by a provision in the Act that no county or town council should delegate to any committee the power of raising money by rate or loan or of incurring capital expenditure, the principle was readily agreed to by the Town Council.

The reorganisation of committees provided for a reduction in number. The reasons prompting this may best be gathered from a report presented to the Town Council by the writers of this article. In that document it is pointed out that to dissipate the energies of public representatives by requiring their attendance at numerous committee and other meetings is calculated to impede instead of to assist effective administration. The view was expressed that if the administration could be organised in such a way that the various functions could be classified in as few groups as possible according to the nature of the work or the duties to be performed, the inroads upon the time and attention of members could be very materially reduced. The recommendations of the report were generally adopted and in practice the Town Council of Edinburgh has now only eight major committees. These are enumerated as follows:—Lord Provost's, Treasurer's, Public Health, Education, Public Assistance, Public Utilities, Streets and Buildings, and General Purposes. Standing Orders were compiled and these contained schemes of administration for the whole work of the Council. What actually happened was that the whole of the duties falling to be performed by the Town Council and its committees were analysed and classified, the division of the work among the committees and the extent of delegation to the committees being determined following on the classification. The delegation is very wide, subject to the qualification as to financial control already referred to. In order to enable the committees to function successfully, it was necessary for them to

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appoint standing sub-committees. These were appointed following the principles enumerated above for each committee. So far as can be judged up to the present, the whole scheme is working successfully.

It was recognised that, while providing for extensive delegation, something had to be substituted for the system which had prevailed of reporting practically every item to the Town Council for confirmation, and this was obtained by the adoption of a standing order which provided that a progress report should at least once a year be submitted by each committee. This report was to contain a short statement or abstract of the proceedings of the committee and an explanatory statement of policy. These reports, several of which have been submitted to the Town Council, have been full of valuable information, and have, it is thought, enabled all the members of that body to visualise the activities of the departments concerned in a much clearer way than could be done under the old system, where each Town Council Agenda contained a series of reports from each particular committee, these reports being representative only of instalments of policy. The new progress report is framed in such a way as to outline quite clearly what the general policy of each committee is and the manner in which it is being carried out. It is, of course, early yet to judge how far the new system will make for successful administration, but it is true to say that no member of the Town Council is left without the fullest information regarding the whole of the work of the body of which he is an elected member.

The extent to which the reorganisation has gone may probably best be gathered by considering the case of the Public Utilities Committee, which controls the administration of all the Trading Undertakings carried on by the municipality—Transport, Gas, Water and Electricity. The detailed control of these services is in turn in the hands of standing sub-committees—one applicable to Gas and Transport and the other to Water and Electricity. It has not been found that in practice each detailed decision of a sub-committee has been a subject for review by the full Public Utilities Committee, and there is no doubt that the new system operates for the speeding up of public business.

While on the subject of committee organisation, it may be well to point out that the Scottish Act made provision for what was novel to Scottish local government administration as a whole, namely, the co-option of members to certain committees, principally the Education Committee. Final judgment on the success of this principle of administration must be suspended until a longer period has elapsed for its working out in practice, but it may be said that, if anything, the indications are that the addition of co-opted members tends to make the committee concerned too unwieldy in size. In Edinburgh

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the normal number of members of a full committee is 20 and of a sub-committee 10, while for the Education Committee the corresponding figures are 33 and 20. On the other hand, it must be admitted that the co-option of members who had already experience in the administration of the particular service concerned has made for a continuity of administration and for a readier diffusion of knowledge of the peculiarities of the educational service as distinct from other branches of local government activity.

So much for committee organisation. Consideration may now be given to the changes in departmental organisation which were found desirable. The practice in city government in Scotland had been to apply the principle that officials were officers of the Town Council and not of particular committees. Accordingly, the Town Clerk functioned as the co-ordinating officer carrying out in practice all legal and secretarial duties, while the City Chamberlain carried out all the financial work. In some instances, too, there was an officer responsible for the execution of the whole of the architectural work of the Corporation, while the Medical Officer of Health was the chief administrative officer for all matters relating to the Public Health service. This principle was continued and was applied to the transferred services following on the passing of the Local Government Act. The Town Clerk became responsible for all the legal and secretarial work of the Committees which were responsible for the oversight of the work of the transferred services. The financial officer was entrusted with the whole of the financial duties; the Medical Officer of Health with the whole of the public health duties, and so on. The effect in several instances has been a marked reduction in staffs owing to the greater load of work permitting a much greater mechanisation of the routine work performed in the various offices. Again, economies have been effected in the "pooling" of all the borrowings of the local authority, as well as from a certain measure of financial relief which followed upon the creation of one "Burgh Fund" into which all revenues of the local authority were paid and out of which all expenditure was met. Some of the *ad hoc* authorities were too small to permit of their being advised by competent full-time officials in the matter of their legal and architectural work, and here also marked economies have in some cases resulted. One authority is at the moment considering a scheme for a particular institution which under the old *ad hoc* authority had been partly built and was to cost £600,000 or thereby. The departmental officers of the Corporation, having reviewed the proposals, have pointed out that at least a third of that amount, or £200,000, can be saved if the needs of the area are properly gauged and if the lay-out plan and character of the buildings are reviewed from a more economical standpoint, but with

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due regard to efficiency. This is an extraordinary tribute to the effectiveness of the administration in an authority whose area and capacity to bear burdens are of such a nature that it can afford to employ whole-time fully-qualified technical staffs for the performance of architectural, engineering and other duties. And so on through the whole scale of transferred services. The "pooling" of the Public Health Hospitals, the concentration of the whole of the medical staffs of the area under the control of one Medical Officer of Health, are already tending not only to raise the standard of the Health administration of the area all round, but also to provide a more economical administration. The continuous control of the health of the child from the time of its birth until it passes out of the school is now in the hands of each City Council. In Public Assistance, too, the effect of the Act in Scotland has been to direct the attention of local authorities to the very large burden which is placed upon them through their having to administer able-bodied relief in addition to relieving the ordinary poor. Some further amendments are needed in the law relating to Public Assistance in Scotland before there can be the most effective development of the administration of this service, particularly as regards able-bodied relief, but these amendments which were never obtained under the old *ad hoc* system seem much more likely to follow when the new local authorities fully realise the extent of their responsibility and the limitations of their powers.

As an indication of what is meant, the evidence given by Mr. John Jeffrey, C.B., C.B.E., the Secretary of the Department of Health for Scotland, to the Royal Commission on Unemployment Insurance, may be quoted:—

"If able-bodied unemployed persons are to continue to be relieved under the Poor Law in Scotland, this can only be done effectively under an amended law The present law was framed for dealing with the disabled poor and its whole machinery was designed accordingly. But, in an emergency, the Poor Law Authorities in 1921 had superimposed upon them by a temporary Act the duty of relieving the able-bodied poor without any change being made in the machinery at their disposal. That Act is still in operation and they are, therefore, undertaking a formidable and difficult task with a defective instrument. Except to a very limited extent the only practicable method of relief open to them has been unconditional outdoor relief. Such a position could never be defended under a permanent scheme which professed to minister to the needs of the destitute unemployed with any degree of efficiency or hope of success."

Not only, however, has the Act permitted the reorganisation of committee work and of departmental work in the Scottish cities, but

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it has also had the effect of directing attention to the duplication of services. Concrete instances might be pointed out—the provision of baths in schools when already existing provision had been made by way of the erection of municipal public baths. In the same way, playing field accommodation has been found to be in some measure duplicated. A proper system for the provision of playing-fields must necessarily entail a careful survey of the whole area by one authority, and proper co-ordination could not be got while *ad hoc* authorities supplied that playing-field accommodation which was necessary for the proper development of the particular services controlled by them. It has also been found that the restriction placed upon the use of public parks by the City Councils have to some extent affected the legitimate development of such physical culture as was deemed to be an educational necessity. The day is not far distant when we may see schools built in the middle of or closely adjacent to public parks.

The standardisation of supplies and the purchasing of goods in bulk to meet institutional needs are also problems which the Scottish Act has indirectly forced upon local authorities as a result of the merging of the Public Health, Mental Deficiency, Lunacy and Poor Law services under one control. Here again the effect of the Act will be watched carefully from the purely economical standpoint.

The administration of matters relating to establishment and personnel upon a common basis in each area has also been found beneficial, and the effect of the Act will surely be to bring nearer the day when, because of the very much fewer number of local authorities, it will be possible to impose a minimum standard of educational entrance qualification for the Local Government Service.

From the general financial standpoint, the Act has brought about rating relief to industry and agriculture. Not only so, the participation of the Scottish cities in the proceeds of the national "pool" of Exchequer moneys has been to render possible reductions in the poundage of local rates. The following table shows the position in the various cities:—

	Rate per £.				Reduction	
	1929-1930.		1930-1931.		per £.	
	s.	d.	s.	d.	d.	
Edinburgh	8	8	8	6	2	
Glasgow	14	1½	13	9½	4	
Dundee	9	10¼	9	10	¼	
Aberdeen	9	5½	9	1¼	4¼	

There is every indication that, despite the general industrial depression, these reductions will be maintained and in some cases added to. True, the effect of derating a large section of the lands and heritages which were formerly rateable has been to reduce the monetary yield.

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of each rd. rate imposed. New items of expenditure will, therefore, have to be more carefully watched as they will be borne by a more restricted body of ratepayers. Possibly, however, many of the critics of present-day financial policy may think that this is no disadvantage. Be that as it may, the Act has brought into being a financial scheme which will permit of an ordered progress in the development of local services.

Broadly, it may be said that the general effect of the concentration of local government services under one administrative body for each city area may be to induce a more proportionate growth in each of the parts of the local government organism than has heretofore been the case. There can be no question that the services controlled in the past by *ad hoc* authorities, precepting as they did for expenditure, expanded more rapidly than those services where control was centralised and where the controlling authority was directly responsible for levying the local rates. The *ad hoc* system may be necessary when a marked stimulus to activity is required for the development of any particular service. The system, however, as Scottish experience has proved, may outlive its purpose, and in the cities at least its passing was not looked upon with regret.

Generally, and in conclusion, it is true to say that, while the effects of the Scottish Act on city government have in some cases been immediate and certain, it will be some time yet before the full measure of its impact upon administration can be gauged. By that time we may be drifting in the direction of regionalising the administration of certain services, and, as often happens, the introduction of new policy will make it difficult to measure the effects of the old. Time will tell. One thing, however, is assured—the widening of the area of administration, coupled with the concentration of the control of local services which has recently taken place, undoubtedly demands from the local government servant a high standard of administrative ability. The work of the Institute of Public Administration will, we hope, assist in seeing that the necessary standards will be attained.

The Administration of Municipal Housing Estates

By JEAN M. THOMPSON, B.Com.
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[*Read before the Institute of Public Administration at Sheffield,
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ONE of the most remarkable developments of public enterprise since the war has been the building of large numbers of dwelling-houses by local authorities. Before the war, during the years 1890-1914, less than 1 per cent. of the houses in this country were built by public authorities. Since 1920, however, the country has taken a collective responsibility for housing the workers in a way never assumed before, and, realising that an adequate solution of the housing problem will help materially towards the success of a number of other branches of public administration, it is at last making an organised effort to deal with the problem left by the Industrial Revolution.

Hitherto, public attention in this matter has been very largely concentrated on the erection of the houses. In view of the magnitude of the problem and the urgent need for houses, it is not surprising that local authorities have up to now seen the question in terms of the production of houses and have assumed that once houses were built and occupied their problem would be solved. The system under which the houses when built are allocated, and the subsequent management of the estates, have received but little attention, although experience would tend to demonstrate that even good and well-planned property may under certain circumstances degenerate into slums.

Now after ten years, local authorities are beginning to realise that in many respects their problems are only just beginning and that the building of the houses raises problems in many ways less acute than the subsequent human and social aspects of the administration of the estates. While some municipal estates are well managed, it is clear that this side of the housing question has received insufficient attention, and up and down the country, one sees and hears much of heavy

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arrears of rent, and deterioration of property through dirt and an anti-social spirit among the tenants or lack of prompt attention to repairs.

There is an urgent need, therefore, for thinking out and *clearly formulating a body of principles to govern municipal housing administration*. Such principles will take account of the human and social as well as financial and technical aspects of management. We have heard much during the post-war years of the material and economic side of the housing question—number of houses to acre, size and number of rooms, subsidies, finance, &c., but of human and social standards, little. On the one hand, there are those who have assumed that the building of the houses would solve the problem and on the other hand, there are the unthinking people who say "the slum-dweller makes the slum" and leave it at that.

That there is a social aspect to housing enterprise is surely the only justification for the community spending large sums of money out of the local and national exchequer to assist in the financing of housing schemes. Housing is a branch of public enterprise with two aspects—municipal trading and social administration and cannot be regarded in quite the same way as tramways or electricity, which are definitely trading departments. The local authority has a definite responsibility for the proper housing of the people in its area and cannot always let its houses to those tenants who may be most profitable from the trading point of view. The subsidy was regarded by many people as a temporary expedient to meet an abnormal building crisis, but it is now clear that (until we see a general rise in whole level of wages) still more subsidies are required to deal with the slum problem. In surveying the present situation, the outstanding fact emerging is that overcrowding is little, if any, better than at the Armistice, and the fringes of the slum problem has hardly been touched. If the country is to continue spending large sums of money on housing, it should be on condition that housing is realised more clearly to be from one aspect a branch of social administration.

A good deal of confusion has been caused because the administration of municipal housing has not been sufficiently related to social needs. At worst, though by any means invariably, it has been inequitable and extravagant—inequitable, because insufficient attention has been paid to the placing of tenants in houses most suited to their needs, and extravagant because little attempt has been made to ensure that the benefits of the housing subsidies are enjoyed only by those who really need them. On the other hand, the trading aspect of housing must not be overlooked—it is useless putting people in houses at rents far beyond their capacity to pay, out of sympathy with their bad housing conditions, and efficient business management

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is no less essential in municipal than in private housing enterprise.

The whole idea of managing housing estates on a social basis is almost a new one to local authorities just as the idea of public ownership on a large scale is new. During the 19th century, a great increase in urban working-class houses occurred and, under the haphazard system of private ownership, it was not to be expected that the problem of management would be scientifically approached in many cases and, though the relative responsibilities of landlord and tenant for the creation of the most slum conditions are a subject for perennial discussion, it is clear that the haphazard methods of the private owner have much to answer for.

These bad old traditions and methods which saw little in management beyond the collection of rents, should play no part in public ownership, and local authorities should begin by recognising that *the majority of tenants will respond to efforts made to improve their environment* but that the extent of the response depends very considerably on whether the estates are well-managed or not. They will also recognise the "essentially mutual basis" of the relationship between landlord and tenant and that what is most needed is a spirit of co-operation in the best interests of the community.

The type of management needed, therefore, appears to be one which will combine sound business principles with a recognition of social and human needs—which will introduce social economics into the business of housing management. For this, local authorities will come to realise that people specially trained in both aspects of the housing question are needed.

In actual operation, the principle will demand the setting up of a *properly constituted housing department* with a responsible manager who will co-ordinate all the functions of management in one department. Such a manager will be at once an efficient public administrator and a social worker. It will be realised that the complicated problems arising from the two aspects of municipal housing require for their successful solution the service of trained minds.

The administrative problem which arises from the growth of a new branch of enterprise for which the existing machinery of the municipality does not provide, has not always been recognised, and it is still quite frequently that one finds local authorities owning considerable numbers of houses where the functions of management are divided between several departments—Treasurer's, Town Clerk's, Engineer's, Public Health, &c.—with a consequent lower standard of efficiency and overlapping or omissions in certain parts of the work. The disadvantages of rent collection by untrained clerks with no special interest in housing, or tenant selection by committees, are very apparent. The estate manager who is responsible for every

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branch of the work of management can act as a liaison officer between the various departments whose work touches that of housing but at the same time one official is responsible for the carrying out of the work.

With regard to the collection of rents, arrears can be kept at a minimum by a strict enforcement of the notice to quit, but it is obvious that the logical conclusion of such a policy at the present time particularly would be greatly to intensify overcrowding, and that it only shelves the real problem. While the ejection of a minority of quite hopeless tenants cannot be avoided, what is needed with the majority is to create a sense of responsibility. There is no evading the fact that many tenants, being new to the idea of public ownership, are less responsible in their attitude to the Corporation than they would be to a private landlord. There is a fairly general feeling that the Corporation "can afford to lose." There is an urgent need for the municipal tenants to be brought to realise that in injuring the Corporation they are injuring themselves as part of the community, the community being the real owners of the houses.

It is of primary importance that large arrears of rent should be avoided, or the development of collective ownership in housing will ultimately be retarded; apart from the obvious fact that it is unfair to allow careless tenants to benefit at the expense of other members of the community whose circumstances may be just as difficult as their own. The widespread industrial depression has created enormous difficulties in connection with arrears in very many places and the need for careful investigation of reasons for arrears and individual discrimination between different classes of arrears is all the more emphasised at the present time. The need for the responsibility for taking court proceedings, where necessary, being in the hands of the staff which is responsible for rent collection in touch with actual conditions on the estates, is another illustration of the principle of co-ordination. In all this work, it becomes evident that carefully trained property managers of the right personality are needed.

The importance of the *careful selection and placing of tenants* cannot be over-emphasised from the point of view of slum prevention. A carefully thought-out approach to the future tenant in the preliminary discussions with him as applicant can do much to create the right relationship which is at the basis of good management. The important point to realise is that housing needs cannot be fully met by building a collection of houses in a field and mechanically transferring people to them. Each case requires careful consideration with a view to allocating as nearly as possible the right house from the point of view of income, place of work, size of family and general

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standard of cleanliness as ascertained from a personal visit to the applicant before he is accepted as tenant.

This side of the work of management can be specially stressed in connection with re-housing or slum clearance work, when a great deal can be done to create the right attitude in the prospective tenant by utilising the psychological moment of the transfer to the best advantage. Some slum tenants are curiously attached to their old homes and the important thing in the preparatory work of slum clearance is to avoid the feeling that they are being forced to move against their will, but rather to create in them the desire for better surroundings. Much can be done in this way to prevent the transfer of vermin from old to new houses. It is important that this preparatory work should be in the hands of the rent collecting staff, as the relationship commenced with the applicant can be continued with the tenant. A little friendly advice about the treatment of some of the fittings in the new houses and a tactful encouragement to aspire to a high standard of cleanliness and general behaviour will do much to help the tenant to adapt himself to his new surroundings and prevent a tendency to slip back into old habits.

In connection with *the maintenance of property*, the need for an entirely different attitude in the local authority as compared with the old type of private landlord is again apparent. Perhaps the earliest contact of the local authority with the housing problem arose from the necessity of compelling private landlords to carry out necessary repairs and the attitude of some landlords has been to spend as little as possible on repairs. The local authority, on the other hand, will keep a careful eye on the property with a view to preventing undue deterioration and will rather encourage tenants to report defects in the early stages. There is a tendency otherwise, among some tenants, to refrain from reporting minor defects for fear of being accused of "complaining"! There is no surer way of lowering the standard of habits as well as houses on an estate than to neglect repairs.

On the other hand, it should be an important function of the housing department to check repairs accounts, whether the work is done by direct labour or contractors, to watch expenditure carefully and keep it well within the limits of percentage of rental set aside for property maintenance, particularly during the early years of a housing estate. When the supervision and checking of repairs is in the hands of the rent collecting staff it provides a natural opportunity for inspecting the tenant's home and observing the general standard of cleanliness, as well as preventing as far as possible the need for repairs caused simply by the tenant's carelessness.

An attempt has been made to illustrate the principles of administration from some of the main duties of management. There are

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other functions which have not been touched on—such as advisory work in connection with future housing needs. The careful tabulation of applications for houses, and the preparation and analysis of statistics designed to assist the committee in relating future housing supply to housing demand, in deciding the proportion of different types of houses, suggestion as to improvements in the internal construction of the houses arising perhaps from personal contacts with the tenant, all constitute definite branches of the work of management.

In all the work, emphasis should be laid on the need for maintaining definite standards among the tenants, the care of gardens and the encouragement of a community spirit—a civic outlook—on the estates. The manager will aim at awakening in the tenants a common interest in the welfare of the whole estate, a desire to take the greatest advantage of an improved environment, and a spirit of co-operation with the Council and the management for the benefit of all.

The need for co-ordination of all the different branches of management in one department has been emphasised. An equally important principle and one which is related to the first is that the official in the charge of the department should be entrusted with *ample executive authority*. It is most necessary that there should be a clear definition of principle about the functions of councillors and officials in relation to housing. A sound definition would appear to be the one already theoretically accepted in relation to local government work in general, namely, that the elected representatives are responsible for *policy* and the officials for administration. This principle is a sound one but it is one which is not yet applied with any degree of logic to housing. It is not the function of an official to decide matters of policy, which should obviously be referred to the Housing Committee for a decision, but, once the elected representatives have decided their principles in relation to selection of tenants, procedure in regard to arrears of rent, sub-tenants and general conditions of tenancy, they should select a housing manager to carry out their instructions who can be trusted with ample responsibility and authority, always within the limits of the general policy of the Council. Such an official will of course report periodically to his committee on progress of work.

I am stressing this point because I feel that the experiment of the ownership of large numbers of houses by a local authority is one peculiarly liable to "the hazards of democratic control," and a system under which the tenants in a sense elect their own landlords may raise unique difficulties. Housing is one of the most difficult branches of administration carried on very much in the limelight of publicity, and impartiality is needed if the right relationship with the tenant is to be maintained. It is impossible to get the right relationship if applicants or tenants can obtain results by appealing to

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individual councillors, and yet it is almost natural and inevitable that councillors should occasionally be pressed to override the conditions they have themselves laid down where a particular tenant or constituent is involved. For this and other reasons, and in order to maintain continuity of policy, it is essential that the official should be entrusted with the details of administration.

In many, probably the majority of towns, the selection of individual tenants from lists of applicants submitted by the officials, is still carried out by committees of councillors. This is increasingly unsatisfactory as municipal estates grow in size. It may be dangerous for anybody to select tenants! but the individual selection is a matter far more safely left to officials carefully trained in methods of investigation, who will carry out the general principles which have been discussed and decided on by the Committee.

In general, the principles which have been outlined in this paper should be applied to all types of municipal estates. It is obvious, however, that the importance of many of them can be stressed still more in connection with slum clearance schemes. The country is now embarking on an organised attempt to clear finally from our midst these blots on our town and cities, and this seems to be a peculiarly fitting moment in which to ask whether our local authorities ought not to consider the importance of the contribution which scientific and sympathetic management can give to the permanent solution of this problem.

Some Aspects of the Reorganization of Schools

By WILLIAM F. HERBERT

THE public system of education in England and Wales is at the present time undergoing a complete reorganization, which was inaugurated three years ago as a result of the Report of the Consultative Committee of the Board of Education, issued in December 1926, under the title of "The Education of the Adolescent," and commonly known as the Hadow Report. The recommendations of this Report have been accepted by the Board, by educational opinion, and by the country at large, as a great advance in the opportunities of education for the majority of children. The principal change involved in the new system is that, from the age of eleven onwards, all children should be educated in senior schools of one type or another, capable of providing a varied and progressive course of education for older children."

This extract is the introductory paragraph of a leaflet issued by the Board of Education (Cmd. 3551), and gives official recognition to the process of reorganization which is at present engaging the attention of local education authorities throughout the country. The term "reorganization" is symptomatic, recalling such other terms as "rationalization" and "reconstruction," and is indicative of a desire upon the part of those most concerned with the development of education in this country to make use of the post-war period for effecting improvements in its practice and administration. In some parts of the country little attempt has been made to put into effect the recommendations of the Hadow Report; in others, while the principles underlying the movement of reorganization are accepted, they will be interpreted only in partial fashion and compromise will result. There are certain local education authorities, however, in which reorganization is welcomed, and in consequence complete surveys of their areas are being made, so as to bring about a satisfactory grouping of schools for the provision of advanced and practical instruction.

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The educational aspects of reorganization may not appeal to the administrator as to the teacher, but it is only as the result of an appreciation of the points at issue that satisfactory administrative arrangements can be made. Underlying principles are usually expressions of an ideal; and their translation into tangible form cannot be more than an attainment of the second best, even where a clear ground for experiment is possible. But in the administration of education there are countless obstacles in the way of a fresh start, and an adjustment of existing conditions and a slight expansion upon modern lines are likely to mark the full extent to which any local education authority can expect to meet the wishes of the reformer. And behind the findings of the Board's consultative committee there is a very real reform—one which is of fundamental importance where large-scale, expensive services are being provided—the unification of administration of different sections of the same service and the consideration of the effective size of the unit of control.

The present system of primary education in the country makes co-operation between schools a difficult matter, and yet it is upon this possibility that effective reorganization must depend. Children up to the age of 11 years cannot be expected to travel far from their homes in order to attend school, and it is therefore probable that the existing schools will be suitable for them. With older pupils, however, it is very desirable, in the interests of education and efficient administration, that they shall be grouped in units sufficiently large for the establishment of schools whose curricula are conceived upon a broad basis, adapted to the special needs of the neighbourhood and allowing differentiation for widely-varying abilities. For this to be possible, the modest "room in the school-house" is no longer adequate. The "modern" school—to use the nomenclature adopted in the Hadow Report—should be planned so as to provide a number of classrooms, an assembly hall, and rooms for practical science and for instruction in art and crafts, handicraft, metalwork and domestic subjects. Some of the schools planned recently include, in addition, changing-rooms, bathrooms and a school library, and where possible sites are acquired in which space is available for a school garden and playing-fields. It will be realized that for such buildings to be used to the best advantage they must serve areas which will ensure the annual transfer of a stream of pupils from the primary schools in proportion to the available accommodation. The actual size of the school will be determined almost entirely by local circumstances, but in any case economy of organization becomes possible. In matters of staffing, a considerable improvement often results since specialist

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teachers are available, and the number actually employed is probably less than in an area where reorganization has not been effected.

There are many difficulties in the way of rapid reorganization. Even where the local education authority is prepared to adopt the policy of reorganization, the actual preparation of schemes usually involves protracted negotiations between individual groups of school managers and representatives of the local authority. The particular problems facing the administrator arise largely from local conditions, although the effect of the system of dual control is likely to be felt generally throughout the country. In some authorities, and especially in county areas, powers are delegated to district and local committees, and time is lost in the production of schemes because of the consideration which is given them locally before they are finally settled by the local education authority. It is possible that the county areas have considerably more difficulties in the matter of reorganization than the large centres of population in county boroughs and other urban areas, although, as far as school premises are concerned, the urban areas have usually to adapt their existing buildings rather than embark upon ambitious building programmes. The limitation is both financial and geographical; even with existing facilities, authorities do not wish to carry out schemes involving increased expenditure, especially when suitable sites for new schools are not conveniently placed within their areas. In the county areas, on the other hand, the school buildings of the pre-war period were generally unsatisfactory, and the present policy, carrying with it an additional grant from the Exchequer in respect of new buildings which are necessary for the furtherance of schemes of reorganization and to which authorities are contractually committed before a given date, is an attractive one which will bring about an improved standard of buildings and equipment, in addition to the distribution of pupils to greater educational advantage. With the larger county areas there are difficulties arising from the scattered nature of some parts of the district and the existence of many small schools. The attitude of the general public towards educational problems, and the diversity of outlook as between various districts, would not appear to be insurmountable difficulties, yet they are certainly responsible for considerable delay and obstruction in putting schemes into effect.

Such difficulties as those outlined above naturally create administrative principles upon which the process of reorganization in any given area will be based. The experience of certain authorities in having to face objections from parents has caused most education committees to proceed only with those schemes to which general

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consent has been given, and under some authorities it is insisted upon that the body of managers of each school concerned, meeting separately, shall pass a resolution in favour of their acceptance of a proposed scheme of reorganization before any definite steps are taken. Safeguards and guarantees to the contracting parties are, of course, essential and are mainly concerned with the right of a contributory school to be represented upon the management of the senior school, with arrangements for religious instruction and with assurances to the members of the existing teaching staff. It is usual that, while status cannot always be guaranteed in the case of head teachers, there shall be no loss of salary entailed by the transfer and absorption of any teacher. It is necessary, too, that the material welfare of the pupils shall not be neglected, and the conveyance of pupils and facilities for the provision of mid-day meals are matters which assume considerable importance. In widely scattered areas, conveyance of pupils is an outstanding feature, the cost of which is considerable even where special contracts are made, although it is generally admitted that the expenditure is fully justified. Under one northern authority a scheme has been effected in which many scholars are conveyed daily to a school over twelve miles from their homes.

The actual schemes involving reorganization may be classified broadly according to (a) the type of school affected, (b) the type of area served, and (c) special schemes.

In dealing with the first of these classes, it is possible for schemes to be of three types:—

- (i) Voluntary schemes embracing non-provided schools only;
- (ii) Schemes including "council" or provided schools only; and
- (iii) General schemes including both provided and non-provided schools.

The voluntary schemes referred to in (i) above are not uncommon, and, although it would be generally expected that the schools affected would be those of the same denomination, there are instances in which co-operation between Church of England and Nonconformist schools has been possible. It is usual, however, to find that an existing school has been extended and adapted to meet the requirements of the Board of Education, and the contributory schools are of the same denomination and have common parochial interests. Schemes including provided or council schools only are usually to be found in urban areas, although on the outskirts of certain industrial areas, where the foundations providing schools in the early days of educational development have ceased to provide them and the duty has been taken over by the local

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educational authority, schemes do frequently include council schools only. In one case a reorganization scheme has been effected by which five such schools have actually been closed and new buildings provided not only for all the senior pupils of the schools in the area, but also for the juniors attending these inadequate school buildings which at different times have been taken over by the local education authority.

The usual reorganization is of the third type, in which schools of the provided and non-provided types are included. While the foundation managers of the non-provided schools are anxious not to give up their share in the provision of educational facilities, many of them are unable to bring their school buildings up to the standard demanded by the Board of Education for the purpose of advanced instruction. They are, in consequence, prepared to continue to provide the schools for junior pupils only, and in certain instances they are, by so doing, providing accommodation of which the Board of Education approves in premises which are regarded as unsatisfactory for the original number of senior and junior scholars. There is a tendency at the present time for the provision of new schools to be regarded as the duty of the local education authority rather than of any particular denomination, and as a result the schools which are now being erected will in most cases become the senior schools provided by the authority even where particular denominations have control of funds sufficiently large to enable them to provide adequate accommodation. A certain reluctance to do so exists since the provision of educational facilities is not the only purpose to which such funds may usefully be directed.

As to the type of area served, the main differences, apart from size, are those which are of more interest to the teacher than to the administrator, and deal with the schemes of instruction, their relation to the needs of the district, and to the general classification of pupils. The question of size is, however, an important one, since it involves a consideration as to the selectivity or non-selectivity of the schools. In one thickly populated area three senior schools have been provided, and it has been possible for one of these to admit only those children who have reached a prescribed standard. The instruction given in this school will be more academic than that given to the children of average ability who will attend the other two schools. Further, the size of the area will determine the number of classes of children which will be admitted each year, and for purposes of organization these schools are classified as one-, two- or three-system schools, according to the number of classes admitted annually. It will be appreciated that

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the staffing and equipment of such schools can readily be standardized.

Some interesting schemes of reorganization have been devised where special circumstances prevail. Some schools are already sufficiently large to have enough senior pupils in attendance for the establishment of a self-supporting senior section. This is often the case in institutional schools, where the conditions are usually abnormal and where the type of pupil demands specialized instruction involving generally much individual work. Apart from such self-contained schemes, there are others which involve mutual arrangement between two or more local education authorities. For example, schools coming under the jurisdiction of a county authority may transfer their senior scholars to a senior school within the area of an adjacent county borough or Part III area. Isolated schools may frequently be dealt with in a similar way, while there is one instance in which two county authorities have a scheme which involves a number of schools on either side of the boundary between them.

At the present time the work of the senior schools is largely a matter of experiment and schemes of instruction are mainly tentative. Several of the schools, however, have already developed marked individual characteristics and are rapidly becoming important centres of local activity. The results which will eventually be attained can be expected to mark a further stage in the development of the educational system. It would certainly be true to say that the work of the schools from which the senior pupils have been transferred has already assumed an improved character, and it is evident that pupils in such schools are deriving much benefit from the change, the most important feature of which would appear to be an earlier development of a sense of responsibility in the children.

The Highlands and Islands Medical Service:

What it is, and what it has done

By A. SHEARER, M.B., C.M.

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[Address delivered to the Institute of Public Administration at Edinburgh, 18th March, 1931]

TO be quite frank, I heartily welcome the opportunity of speaking to you to-night on "The Highlands and Islands Medical Service: What it is, and what it has done," because, in my opinion, the activities of the Highlands and Islands (Medical Service) Schemes and the results which have thereby been achieved produce a picture far too little known by the public, and one which, if better known, would, I venture to say, be a source of much gratification to all concerned. That something is being done: that improvements are being effected: that conditions have bettered and so on under the Highlands and Islands (Medical Service) Schemes are, in a vague sort of way, appreciated by some people, but to what extent and in what directions is known only to a few. I always regret that this should be so, for, so far as I know, no more humane, beneficent social service exists in the British Empire—and perhaps even beyond that; and I am convinced that no money spent by Parliament reaps a richer or fuller harvest than that spent under the Highlands and Islands (Medical Service) Fund.

The great difficulty of providing an adequate medical service in the Highlands and Islands has been long recognized, and it is interesting to read in the Tenth Volume of the Statistical Account of Scotland, *published in 1794*, the following reference to Tíree by the then minister: "The situation of this parish is dismal without a surgeon residing in it. Poor people cannot afford sending occasionally for a surgeon, to a distant country, at great expenses with frequent disappointments: the raging elements forbid it, or perhaps before the relief arrives the hope of the family is no more. Too often has the present incumbent seen childbed women in particular fall sad sacrifices without relief." And remember the population

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of Tiree at that time was 3,457. The writer goes on to say: "The people have often and cordially united to make up a small salary, according to their abilities, and bestowed it upon young surgeons who resided now and then amongst them, considering it as a temporary appointment." He further says that "if some fund could be established, with a farm to reside on," a something would be produced which "might be an object worth attention to some gentleman of that profession." What wonderful foresight! This parson in 1794 foresaw that the solution of the problem was the establishing of a fund, and in 1913—119 years later—the Highlands and Islands (Medical Service) Fund came into being.

The experience of Tiree at this time was the experience of most parts of the Highlands, and the conditions seem to have so continued until 1850, when the Royal College of Physicians, Edinburgh, appointed a committee "to make enquiry regarding the numbers of medical practitioners at present settled and in practice in the northern counties of Scotland, particularly in Zetland, Orkney, Caithness, Sutherland, Ross, Inverness and Argyll, to determine the proportion which the practitioners bear to the whole population and to ascertain whether there be much complaint on the part of the people of the difficulty of obtaining medical aid." It is particularly pleasing to me, as a medical man, that the Royal College of Physicians, knowing the conditions which prevailed, should have thought it their duty to take such action; and it is *not* without significance that the college should indicate that the responsibility was a national one, for the circular which they sent out bore that the object in view was "the removal of the reproach now justly lying on the country at large." The report of the committee appointed is a most interesting document. It vividly depicts the deplorable lack of medical attendance in the aforementioned counties, and it is noteworthy that these counties are exactly those to which the present Highlands and Islands (Medical Service) Fund applies. The report bears out that of the 155 parishes reported upon, 62 were thought to be adequately supplied with medical men, 52 were partially supplied, and 41 were never, or almost never, visited by any regular medical practitioner, and may therefore be regarded as destitute of medical aid. It was estimated that 124,300 people in the Highlands and Islands received practically no medical attendance. As examples of the paucity of medical attendance, one might cite that for the parishes of Eddrachalis and Assynt—practically the whole of the west coast of Sutherland—with a population of 5,000 spread over an extent of country from 60 to 70 miles in length: there was only one doctor; there were only two doctors in the whole of Lewis; three in Skye; none in the Sma' Isles, *i.e.*,

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Rhum, Eigg, Canna and Muck; people in the Ullapool district had to send to Dingwall, a distance of from 40 to 50 miles; whilst the nearest doctor to the people in the north-west of Sutherland lived 30 to 40 miles away. In this latter district, the minister of Durness, writing on 25th November, 1850, says: "Three persons are dead within the parish at this moment, and none of them has been visited by a medical man during their illness."

The difficulty in obtaining medical attendance was enormously increased because practically every doctor had much too large an area to serve, and when wanted in one part of the area might be far away in another part of it. This is well illustrated by a letter from the parish minister of Morven, which, although on the mainland, was at the time medically served from the island of Mull. He wrote: "The doctors are necessitated to extend their practice over a wide extent of rugged country, so that thus even when the ferry to Mull is practicable (and it is often attempted in such cases when it is only so at extreme risk) it not infrequently happens that the anxious and impatient messenger for aid is not only disappointed in finding the practitioner not at home but may be required to journey a distance of 20 or, it may be, 40 miles in quest of him. I have known an express sent by myself under circumstances of painful anxiety travel three days in quest of the laborious medical man who usually attends my family."

The desperate nature of the state of affairs and the complacency begotten of their hard, "know-no-better" lot are reflected in the simple reply of one minister as to what he would suggest as likely to improve matters. He says: "I cannot suggest on this subject further than to say, as the inhabitants are very poor, a supply of castor oil, Epsom salts, bluestone, some bark or quinine, and blisters would be a benefit for gratuitous distribution." It was not uncommon for neighbours to suggest treatment for those who were ill; but that this was of doubtful virtue is indicated by one minister, who says: "There is one man who gives a little aid in slight cases but for want of special skill and medicine this sometimes may be for more harm than good."

A factor in the Highlands and Islands which will, without financial assistance from outside, *always* prevent them from having adequate medical services is the poor economic circumstances of most of the people. It was found in the 1850 inquiry that in some districts two-thirds of the people paid nothing for medical attendance; in others the proportion of gratis to paying patients was 19 to 1. A practitioner resident in a parish with a population of 5,000 reported that he had not received from private patients more than £5 annually.

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I have at some length pictured to you the conditions of the medical services as found by the Royal College of Physicians in 1850, but so far as I can learn nothing much was done to better these, largely, I suppose, because of the lack of money. Improvements on a modified scale did thereafter gradually take place, but a very big step forward was taken as the result of the National Health Insurance Act of 1911, and the people of the Highlands and Islands of Scotland should for ever be grateful for the introduction of this Act.

One of the most brilliant of living writers says there is always an element of paradox in the truth, and the paradox about the National Health Insurance Act is that it brought the greatest benefits to that part of the country where the number of insured persons was relatively smallest—not directly from the insurance funds, it is true, but, vicariously, through the Highlands and Islands (Medical Service) Fund. So that, if the crofter and the cottar and the fisherman did *not* share directly in the first tremendous experiment in social insurance, they derived great and abiding benefits in other ways. Medical benefit assumed a nation-wide medical service not below a certain standard of adequacy and availability. But it was well known long before 1911 that that standard—and note that I refer to adequacy and availability—did not obtain in the Highlands and Islands. The Report of the Commission on the Poor Laws in 1909 corroborated the findings of the Royal College of Physicians' inquiry of 1850, and showed that in the Highlands and Islands medical treatment and nursing, within reasonable limits of sufficiency, were luxuries beyond the reach of the normal Highland family. How, then, could the new Act be operated fairly in those conditions? How could the insured person in the Highlands get approximately the same benefit, medically, as the urban worker and the miner?

A committee under the chairmanship of the late Lord Forteviot (then Sir John Dewar, M.P. for Inverness-shire) was appointed to make inquiry on a wisely broad remit. The wording of the remit is worth mentioning. It reads:—

“To consider, at an early date, how far the provision of medical attendance in districts situated in the Highlands and Islands of Scotland is inadequate, and to advise as to the best method of securing a satisfactory medical service therein, regard being had to the duties and responsibilities of the general public authorities operating in such districts.”

There is, you will observe, *not one word* about the National Health Insurance Act. It was realised that just as the Highlands medical

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problems were not confined to a section of the people, so their solutions could not be sectionalized.

The results of the Dewar Committee's labours are now well known. The time at the disposal of the committee was limited, as the Chancellor of the Exchequer was insistent on an early report. Nevertheless, it made an exhaustive inquiry and produced a report which has affected the destiny of the Highland medical services for all time. The outcome of this report was the passing of the Highlands and Islands (Medical) Service Act, and, whilst for a long time it had been felt that some such legislation was necessary, there can be *no* doubt that the passing of this Act was precipitated by the introduction of National Health Insurance.

I need not elaborate what the committee found except to state that it was made clear beyond all doubt that the medical and nursing services in the Highlands and Islands were totally inadequate. What I *must* say, however, is that where there may have been preventable suffering and premature death these did not result from any malignity in man, but rather from the conditions imposed by nature. Against Nature's obstacles, and amidst the impoverishment due to the peculiar quality of her gifts to the Highlands and Islands, a staff of doctors worthily laboured, mostly on meagre incomes, for the good of their people, and nearly always without the aid of trained nurses. If now and again a weaker brother drifted to a medical solitude, we must not let one or two isolated facts of that kind blind us to the self-sacrificing noble service of the great body of Highland doctors before the State grant altered the conditions of their practice. Those who know the facts from the inside are best aware of the quality of the old-time Highland doctor, whose "round," by trap, on horseback, by boat, or it may be on foot, might take days. He had frequently to contend with severe weather conditions; had many a time to go for hours without food; often got wet to the skin; may have had to let his shirt dry on his back, and not infrequently had to practise much of his profession as physician and surgeon at his own expense.

Here I should like to pay a personal tribute to these men. On account of the Great War, the benefits of the Highlands and Islands (Medical Service) Act did not materially show themselves until after the Armistice, and when it fell to my lot, early in 1919, to begin to go in and out amongst these doctors I could not but be impressed by the enormous difficulties under which most of them had had to do their work, and how willingly and cheerfully this work had in the main been done. It was a wonder that some areas had a medical service at all, and I question if his more fortunate Lowland brother really appreciated the hardships with which the Highlands

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and Islands practitioner had to contend. We must *not* forget that, single-handed as many of the Highland and Island doctors are—separated by long distances from their neighbours and the large medical centres—they have frequently to undertake professional responsibility in difficult medical, surgical and obstetric cases which demands a medical initiative and self-reliance of perhaps a higher plane than is necessary in urban areas where specialised skill and consultation are readily available.

It is a joy, in this connection, to quote again from the Report of the Royal College of Physicians, to which I have already referred. Therein it is recorded that "Strong testimony is borne by several of the reporters to the indefatigable, zealous and self-denying labours of the Highland practitioners generally, and much regret is expressed that they are for the most part very poorly remunerated." The Moderator of the General Assembly of the Church of Scotland at that time wrote: "I know of no class of men more inadequately remunerated than the medical men in the Highlands, or who obtain a livelihood at a greater sacrifice of time and labour. Generally they have been found to evince an untiring zeal and energy in prosecuting their professional duties under peculiar hardships and difficulties, which disinterested humanity, guided by sound and enlightened principles, could alone animate and sustain." What a noble heritage these old Highlands and Islands doctors have left to their successors!

The Highlands and Islands (Medical Service) Fund was constituted by the relative Act of 1913 as the direct consequence of the report of the Dewar Committee. It was enacted that the sum of £42,000 was to be paid into the fund annually from money voted by Parliament. That is to say, the grant was a direct State grant, not a charge on insurance funds, and it was to be applied, in accordance with approved schemes, "for the purpose of improving medical service, including nursing, in the Highlands and Islands of Scotland, and otherwise providing and improving means for the prevention, treatment and alleviation of illness and suffering therein."

Let me now pass to the approved schemes for the application of the fund, which will speak for themselves and answer the question: What is the Highlands and Islands Medical Service? First, then, the scheme of grants from the fund to medical practitioners aims at bringing the services of a doctor to the humblest home in any part of the Highlands at low uniform fees. The fund applies "to cottars, crofters, dependants of insured persons and those in like circumstances on whom the doctor's usual fee would be an undue burden." It does *not* matter whether the doctor has

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to travel one mile or twenty miles, or whether he reaches the patient on foot or in his own car or in a hired conveyance, he cannot charge more in ordinary illnesses than 5s. for a first visit and 3s. 6d. for subsequent visits. He may get less, but he cannot charge more without breaking his agreement with the Department. For midwifery and certain other services higher charges are allowed. The point is that the grant has the effect of relieving the patient of paying for the time and expense involved in the doctor's travelling. Even if the charge for these were reasonable, it is in most cases *quite* beyond the means of the patient to make adequate recompense. In other words, the grant is intended to make it financially possible for any ill person in the Highlands and Islands to get medical advice and treatment. Too frequently had it been the custom for the people to send for a doctor only when someone was dangerously ill, and perhaps beyond hope of recovery. One doctor tells me "that a summons for medical aid usually meant a summons to a death bed." But all this is now changed; and what a comfort it is to know that *no sick person need now lack medical attention because he cannot afford to pay for it*. That was the intention, and that it has been most abundantly justified by the results, is reflected in the enormous increase in the number of professional visits now paid by all Highland and Island doctors to those to whom the fund was specially meant to apply.

The improved conditions of medical practice in the Highlands and Islands have been of enormous benefit to the service, and this is reflected, *inter alia*, in the number and type of medical men who are now anxious to practise in these areas. In the days gone by, few were the applicants for medical vacancies in many areas, but now the position is entirely changed and the difficulty is not to get a medical man to accept an appointment, but rather to make the proper selection from a large number of well-qualified applicants. Within recent years as many as 63 medical men applied for a vacancy, and it is not uncommon to have from 20 to 30.

The provision of motor transport which, as a result of the grants paid to the doctors, is now the means by which practically all of them visit their patients, has almost revolutionised the service. It is now possible to do in one day what may previously have taken three or, even, four days. In this way the people get a much better service, and that it is appreciated by them, I have good reason to know. Yes; and as an old doctor who has practised in the Highlands for over 40 years has said to me: "Think what it means to a humane man to sit behind an engine throbbing with mechanical energy rather than behind a horse sobbing out its heart from overwork." Only a Highlander could so express himself.

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In addition to the more expeditious and comfortable transport, much has been done to improve *the housing of the doctors*, either by building new houses or transforming existing dwellings into comfortable and up-to-date houses, and who can gainsay that this is a factor of vital importance? Up to the present the fund has assisted in the provision of 37 new or transformed houses, and others are under consideration. It is hoped that in time every Highlands and Islands doctor will have a suitable and comfortable house. I am convinced, having in mind the rigorous climate of the Highlands, which *no* fund can improve, that a better service cannot fail to be given by a medical man, if during his arduous day's work he can look forward joyfully to a respite at his own really cosy fireside. And another effect of these improved housing conditions, which is not without significance, is the increased happiness which they have brought to the doctors' wives who, instead of having to fight on all day and every day with difficult domestic conditions, have now homes of which they are proud, and to look after which, I have been told, was a "genuine pleasure." I mention this as I believe that indirectly it has a beneficial effect on the medical service. A wife, contented and happy, in her home surroundings, is almost certain to be a better help-mate to her husband.

In preparing this address, I had personal knowledge of the value of the schemes under the Highlands and Islands (M.S.) Act, but, to ascertain the practitioner's view, I thought it advisable to ask some of the doctors who knew the conditions of medical practice in the Highlands and Islands, before, and since, the passing of the Act, how, in their opinion, the Act had affected themselves and their patients. Without exception, the replies show what mighty changes have been effected, and emphatically eulogise the great benefits which have accrued to all concerned. Let me read you some extracts from these replies.

One writes: "Prior to the Act it was undoubtedly a fact that the majority of Highland medical officers were living a hand-to-mouth existence. In many outlying parts there was really no efficient medical attendance for the Highland people, but now, with the passing of the Highlands and Islands (Medical Service) Act, there has been a great and gradual improvement in the medical and surgical services throughout the whole Highlands and Islands. The Act has undoubtedly been a great boon to the poorer people. It gives practically a universal medical service and up-to-date attention for the crofters, cottars and dependants. It has also been a big help to the doctors carrying out their duties in difficult conditions of weather, distance, poverty and adverse environment. There is a very marked improvement in the conditions all round, with the

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greatest possible medical and health benefits to the entire population of the Highlands and Islands."

Another says: "I like the homeliness, kindness and personal touch of Highland practice, but much as I love the Highlands and the work I could not have stayed on here under old conditions. I can now give my patients the attention that they require knowing that I am not putting a burden upon them. When I call often in a grave case my folk are glad to see me and do not dread the day of reckoning as in the old days. We doctors who love the Highlands and our own folk can give them of our best, and yet earn a decent livelihood, and do real good, save suffering and even put away death itself, which under old conditions was impossible. I say and believe that a finer medical service does not exist in the world and I am proud to be a member of it."

In regard to nursing this doctor says: "No words of mine can express what nursing has done for the people. It has revolutionized country practice. Maternity work especially has been improved out of recognition and the whole atmosphere of our homes amongst the poor folk, not only in illness but in health, has been changed, and this due very largely to the quiet insidious influence of our nurses."

Another doctor says: "To compare medical work in the Hebrides in former times with what obtains to-day is like recollecting a terrible nightmare in the course of a good breakfast."

One writes that "The Act has been an unmixed blessing to the inhabitants of the Highlands and Islands where patients were left in a good many cases without sufficient medical attendance, *for which neither the doctor nor the patient could be blamed.*" To put it very shortly, my opinion is that the Highlands and Islands (Medical Service) Act has been the greatest boon to medical officers and their patients which the Highlands has ever known. I have had experience of work in the Highlands and Islands for over 40 years and the difficulties under which we Highland medical practitioners laboured in pre-Highland and Islands Medical Service days were so great, and sometimes so overwhelming that no one who served under them for a period of years can forget them. I remember very well how a number of my colleagues in a large Highland area worked from year's end to year's end in desperate anxiety to pay their way, and found it an almost impossible task."

I don't want to weary you with these extracts which, however, to me are very important, but I must read you this one:—

"In pre-Act days it was difficult to get a living, money was scarce, and payments were often made by butter, eggs, mutton, fish, &c. Travelling was by push bike or trap, and consequently there was much time spent on the road, not to mention hardship

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and discomfort. On account, however, of the Highlands and Islands (Medical Service) Fund the poorer classes can now get prompt, adequate and cheap medical attention and the practitioner is pretty sure of his modified fee and dead certain of the Department's cheque. So all are happy, and if not, they should be banished to St. Kilda."

Now, consider the other approved schemes. Under the head of Nursing Service, grants may be paid to nursing associations or other bodies—for example, a public health authority—to assist in maintaining district nurses. The fund can also be used to assist in the provision of specialist services; to help to maintain hospitals; build houses for doctors and nurses; extend telegraph and telephone lines; help with laboratories and clinics, dentistry and ophthalmology; provide holiday relief for the doctors and assist in the maintenance of an ambulance service. As illustrating what has been done in the way of providing expert help, let me mention that, in an emergency, a skilled specialist was sent from Edinburgh to Shetland (before a surgeon was stationed there as a permanency) to operate on a patient who could not be moved; and the operation was successful. The fund has also been used to bring poor persons to the special departments of our large hospitals. As a vivid example of the direction in which the Highlands and Islands Medical Service Fund is serving the humane purpose which it set out to achieve the following case might be cited:—

In a remote part of the Highlands it had been the misfortune of a married woman, anxious to be a mother, to have had two still-born children. When she became pregnant for the third time her medical attendant raised with the Department the question of her removal to an hospital, where expert medical and nursing skill could be provided, but the economic conditions of the family were such that, to accomplish this, financial assistance would be necessary from the fund. It was agreed to provide this assistance; arrangements were made for the woman's admission to an hospital, and four days after admission she was delivered of a living "very fine male child." She returned to her home happier than she had ever been before, and, I am glad to say, did *not* forget to express in laudatory terms her appreciation of what had been done for her under the Highlands and Islands (Medical Service) Schemes.

If the conditions in the Highlands and Islands vary from one parish to another, as they undoubtedly do, if the problem *here* differs from the problem *there*, the schemes are so drawn as to be flexible and adaptable enough to provide the solution. And I am tempted to suggest that the civil servants who administer them endeavour to be equally adaptable and elastic. That at any rate is indicated in letters received from doctors working the scheme.

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One of them, with 40 years' experience of Highland medical practice, says: "The terms under which the practitioners work by arrangement with the Department of Health are so reasonably elastic, and in most cases so accurately adjusted to local circumstances, that the Highlands and Islands Medical Service is an outstanding example of the success with which a combination of State medical service and private medical service may be worked."

Another experienced and well-known Highland doctor says: "The Central Department in the carrying out of these beneficent changes has endeavoured to make the official wheels go along as smoothly as possible; that there has been little or no interference in the way of dictation or bureaucratic bullying, and that the practitioners on the spot have been fully trusted to do their best without inquisitorial Peeping Toms hovering around." I am glad this doctor refers to the trust which, since the inception of the scheme, has been *deliberately* placed in the Highlands and Islands doctors, for this trust, which is *so* essential to the success of the scheme, has been amply justified, and one doctor tells me it has given him "a feeling of increased security and strength in his medical work knowing that he has behind him a body which has won his confidence by their sympathetic understanding of his difficulties." Might I digress for a moment to say that it is particularly pleasing to me to hear these expressions, for they corroborate what has *always* been my conviction, first as a general practitioner for twenty years and now as a civil servant: that, in all our negotiations with each other, mutual sympathy and trust take away the rough edges and facilitate happy and satisfactory solutions of what might otherwise appear difficult and thorny problems.

One of the most important points to notice about the Highlands and Islands (Medical Service) Schemes is that they provide subventions to *services*, not to staff. Even if the Highlands and Islands fund can, and does, give grants to a certain number of doctors in poorer practices to supplement inadequate incomes, that fact must not be allowed to obscure its real purpose. The fund exists to benefit the people of the Highlands and Islands. If, incidentally, it has provided work for more doctors and nurses, and if it *has* supplemented the incomes of certain of the doctors, and improved the status of all of them, that is a by-product of the main design. The fund exists to minister to the well-being of the people of the Highlands and Islands, without distinction of class or creed, and its justification lies not so much in the improved status, emoluments and housing of doctors and nurses—however good and desirable these things may be in themselves—but in the extent to which medical and nursing services in adequate volume and of high

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standard have been made readily available to the people at a cost which is within their often attenuated means.

What, then, has the Highlands and Islands Medical Service done?

Broadly speaking, but without exaggeration, it has transformed medical services throughout the Highlands and Islands from the Muckle Flugga in the north of Shetland to the Mull of Kintyre in the south of Argyll.

Test that sweeping statement against the facts. Where before honest folks did not call in the doctor even in desperate straits, because they could not pay what they knew to be a fair fee, they need not now hesitate for the sake of five shillings. And the doctor remains, as before, the family doctor. The Highlands and Islands fund has not altered in the least that kindly relationship; in fact, by enabling the people to call him in whenever his services are needed, it has made him the family doctor in reality, not merely in name. One doctor assures me that "our poor folk are now our personal friends in a way never before realised, and when I was ill last year I had a feeling of goodwill shown from dozens of sources which I did not before believe to exist. This is an incentive which words cannot describe."

More than that: there is now, as I have already indicated, active competition among first-class doctors for posts in the Highlands and Islands. The service, I am proud to say, has an honoured place in the medical scheme. It does not offer extravagant financial rewards—it never can; but it *does* give a real field for valuable, if sometimes strenuous, medical work, which will always have an affection for those who place useful service before gain.

As showing that the quantity as well as the quality of the medical service has improved, let me tell you that at 31st December, 1915, the number of doctors in the Highlands and Islands with whom agreements had been made to render a modified-fee medical service was 137, and that this number had by 31st December, 1929, risen to 155, an increase of 18. When we remember the greatly improved transport now as compared with then, the increase in quantity is very much more than would seem to be represented by the figure of 18.

I have already referred to the improvement effected and contemplated in regard to doctors' houses.

Again, district nursing was, in 1913, by no means general in the Highlands and Islands. Here and there, by the generosity of proprietors or others, nurses were employed. Now there are very few areas where the services of a nurse are not available, and the majority of them are fully trained. The intention is that, in time,

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they will all be of that standard, and that every part of the Highlands and Islands will have a nursing service on which it can call. To the women and children of the Highlands—not to speak of the doctors—a nursing service is an incalculable boon. The nursing services have, concurrently with the medical service, steadily improved and been extended, but the best will *never* be got out of any nursing service unless the nurses are provided with reasonable transport and are comfortably housed; and much has been and is being done in both of these directions. If the conditions in the Highlands and Islands make the work of the medical man difficult and trying, what about those noble and self-sacrificing women whose devoted service is admittedly such a help and comfort to all those who come under their care, and without whose whole-hearted support no medical service can ever be completely adequate? They too have to work under trying conditions—*it may be in an area which might well be selected for "reliability trials"*—and anything done to ameliorate these conditions is not only what these nurses deserve, but is bound to increase materially the efficiency of the service. Many nurses, because of the sparsity and distribution of the population, have long distances to travel, and the conditions, especially in winter, are exceedingly arduous. The general means of transport was an ordinary push bicycle, and this we all know entailed hardships and physical strain which no nurse should be asked to undergo. On many occasions when I have been in the Highlands and Islands it has been almost heartbreaking to meet nurses, in the course of their work, riding push bicycles on a Highland road—and in a Highland wind and rain! Under these circumstances it is physically impossible even for the strongest to give of their best. Push bicycles have, however, in many instances now been replaced by motor cycles, and in some instances by small cars; and in the interests of the service, as well as of the nurses, it is hoped that by means of voluntary effort and financial assistance from the fund, the small-car method of travelling will become much more general. I think it is true to say that the one direction, lately, in which the activities of the fund have, perhaps, been most vigorous has been in the number of these cars which nursing associations have been assisted to provide. The value of a good nursing service can hardly be estimated, and where is there more need for a first-class nursing service than in the lonely, sparsely populated areas of the Highlands and Islands? That this has been fully realised you will appreciate when I tell you that, when a survey of the nursing service was made, in 1914, by the Highlands and Islands (Medical Service) Board, the number of nurses at work was 107, of whom only 47 were of the fully trained category and 30

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had little or no training. Picture the position now. At the present time 173 nurses are subsidised from the Highlands and Islands (Medical Service) Fund, and of these 129 are full trained and only 8 have little or no training. You will notice that not only has 107 become 173, but the number of trained nurses has risen from 47 to 129.

In case it is thought that the total number of nurses in the Highlands and Islands is the figure I have stated, viz., 173, I should mention that, in addition to these, there are at work in some parts of the Highlands nursing associations which do not receive any grant from the fund.

Development beyond these primary essentials, medical and nursing, has been begun and will go much further, till ultimately the whole framework of requisite specialist services is completed. Already resident surgeons are at work in an operative and consultant capacity in Zetland, the Lewis and Orkney. In these areas, far removed from expert assistance, it was necessary in many cases, *in which immediate surgical help might mean the difference between life and death*, to have to transport them long and exhausting distances by sea, and perhaps rail, to a centre where the necessary assistance could be provided; *and it has happened that patients have died in transit*. The establishment, however, of surgeon specialists in the already mentioned centres has completely altered this. Much major and minor surgery, not to speak of radiology, is now performed in well-equipped hospitals in these islands, the inhabitants of which proclaim the service a "perfect God-send to them." Think what it means to those people to have now at their doors a service which should be their due, but which previously was difficult, if not impossible, to obtain, and then perhaps only at great risk to their lives. As proof that these services are now a very important factor in the medical work and needs of the Highlands and Islands, let me tell you that in Shetland, where these services have been available now for six years, the average number of operations performed during the last three years has been 534 per year. And it is worth mentioning, in so far as it reflects the quality of the work done, that the annual post-operative death rate has been under 2 per cent. The operations performed cover a large field of all kinds of surgery, and undoubtedly afford a relief to the waiting lists of the larger infirmaries. The records of the work done in Lewis and Orkney are equally gratifying. It is a safe and pleasing assumption that the establishment of these specialist services has meant the saving of many human lives, and of even more suffering, and the introduction of similar or slightly modified services to other areas in the Highlands and Islands is

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under consideration. The managers of the Royal Northern Infirmary, Inverness, have rebuilt this institution in accordance with a plan which will make it in buildings, equipment and specialist staff the central hospital of the Northern Highlands; and, as is now well known, they are to receive from the Highlands and Islands (Medical Service) Fund a very substantial annual contribution for the next ten years. In the Islands—north and west—schemes of hospital facilities and other arrangements, such as dentistry and ophthalmology, are being planned which will supplement the basic medical and nursing services and complete a homogeneous, close-knit fabric of prevention and cure. I shall not be surprised if in time the counties in the Highlands and Islands give a lead to Scotland in the elaboration of unified hospital schemes which will summarise and apply all the capabilities of the Highlands and Islands Schemes and the hospital clauses of the Local Government (Scotland) Act, 1929; for I believe that the work already done by the Highlands and Islands Medical Service has laid a solid foundation on which any weight of superstructure can now be safely imposed.

What the Highlands and Islands (Medical Service) Fund has done is not alone important; what it will yet do is of more urgency to those of us who are connected with it. Now that Public Health, in all its aspects, is a function of large and powerful local authorities, and now that the original grant to the Highlands and Islands (Medical Service) Fund is being supplemented by Parliament according to the yearly necessities, there should be no obstacle to progress. But I come back to the principle emphasized in my opening sentences: there can be no progress in the Highland medical services if the problems are treated sectionally. What is provided by doctors, nurses, specialists and hospitals must be available for insured and non-insured, for sick and for poor, for the private citizen and for the local authority alike. Effort and funds must be "pooled" for the benefit of all. With what it has done, and what it will do, the Highlands and Islands Medical Service may become "second to none."

It is not in Scotland only that this service has its effect. The thought and labour that have gone to its creation and growth are exercising a steady pressure of influence in far-distant parts. Wherever topographical difficulties and sparsity of population constitute a medical problem, people are turning to the Highlands and Islands Medical Service for guidance. In Kentucky, in Newfoundland, in South Africa and elsewhere ideas worked out and tested here are being adapted and applied to the cognate problems there. In short, the Highlands and Islands Medical Service is not only a ready help at home, but also a steady source of inspiration abroad.

Local Government in Germany; Historical and Constitutional Introduction

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Acland Travelling Scholar, 1928

SYNOPSIS

Introduction; Local State Administration; Development in Local Self-Government; The Present Organisation of Local Self-Government; The Local "Civil Service"; The Functions of Local Authorities; Central Supervision and Control; Recent Tendencies in German Local Government; The Nature of German Local Government.

MUNICIPAL self-government was nowhere more developed than in mediæval Germany, and though it disappeared before the oligarchies of the guilds and the growing centralisation of state administration, the memory and tradition of that earlier period were never quite lost, but remained to be the inspiration of later reforms.

The modern period of German local government dates from the reforms of Stein and Hardenberg in Prussia during the retirement of that country from the Napoleonic Wars. Old historians have maintained that the unity and glory of Prussia are to be attributed to the work of the Hohenzollerns, Frederick William I and Frederick II. This was only true in so far as they succeeded in making the monarchy supreme over the feudal rulers. The state was built up on the army and the bureaucracy, both privileged orders, to whose higher ranks only members of certain privileged classes were admitted. The growing volume of administration was conducted by colleges whose every decision had to be laid before the ruler. The system, which was cumbrous and became more so as time went on, broke down with the Peace of Tilsit in 1806, because only a very narrow circle of the population was at all interested in its maintenance. Stein saw that government, if it were to surmount a national crisis, must be based on the assent and active interest of the majority of the population. Inspired by the ideas of the French Revolution and the memory of the past, he set about both to democratise and decen-

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tralise government. The reforms were resisted by the courtiers and landed nobility so that his plans were only partially fulfilled and the struggles of many subsequent years have been necessary to complete their realisation.

In 1807 the purchase of land was thrown open to all classes and bodies of the community, while all economic activities were similarly freed; two facts of immense importance for the future of local government. It was at this date also that the last remnants of personal dependence were abolished. The Municipal Ordinance of 1808 still forms the basis for modern municipal government, except that the reforms of 1919 have substituted universal suffrage for election by estates or class suffrage. Rural Communes were left unreformed as Stein was forced to retire. His work was in part carried on by Hardenberg, who, however, concentrated on the reform of the state administration. Prussian reforms were imitated in other Lands, and this together with the fact that Prussia is by far the largest German State, has made the Prussian system typical for most of Germany. In the following account the Prussian system is taken, whilst variations in other Lands are mentioned.

Local State Administration.

In order fully to comprehend German local government it must be clearly understood that there are two parallel systems, the local state administration and the self-governing authorities. The German states do not, as in England, work generally by means of co-operation with the local self-governing authorities but through special bodies of their own. In certain instances, however, notably in the Prussian Circles, state and self-governing bodies coincide. Hardenberg's reforms of 1810 and 1815, aiming at greater uniformity in the state administration, provide the framework for modern administration. He reorganised the central departments and divided the land into Provinces, Government-Districts, and Circles.

The Province.—The Higher President (Oberpräsident) of the Provincial administration proper is simply the local representative of the central government for purposes of general administration, which includes at this stage justice, trade and agriculture, while there are special boards for other matters. The Higher President is responsible to the Minister of the Interior and is aided by a council of six, one of whom is a high administrative official appointed by the Minister, the other five being elected by the Provincial Committee from among the members of the Provincial Assembly. He has to ensure that the work of government within the Province is conducted on uniform lines, but can only make recommendations to that effect: he has no power of compulsion. He exercises the state supervision over Pro-

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vincial self-government and has the ultimate power of decision with regard to disputes concerning the Communal authorities. Under his direct charge come those institutions which extend beyond the sphere of the Government Districts—waterways, roads, police, and the supervision of air-transport. He further exercises the state supervision of those business and industrial bodies in his Province which come under "public law," and presides over the Provincial School Board.

The District.—The President and Committee of the Government District form the real intermediate authority. In the District the state administration is regional, in accordance with Stein's plan, which was that local government should be regional and not departmental. All the functions of state government converge and are divided into three main administrative groups, these being (1) the internal administration, which signifies at this stage police, public buildings, industrial and commercial affairs, public health, and the supervision of local self-governing authorities; (2) Churches and schools, which are administered by *ad hoc* boards within the frame of the District government; (3) State domains and forests. The Government President (Regierungspräsident) is aided by a committee of six, two of whom are appointed by the state and hold office for life, the other four being elected by the Provincial Committee from among the inhabitants of the government districts.

Town and Country Circles.—The Town and Country Circles form the lowest state boards. At this stage state administration again becomes departmental, only general administration being entrusted to the Circles. This comprises the supervision of lower Communal authorities, the control of taxation as far as administration is concerned, maintenance of police, and the execution of the electoral system. State and local self-government administration, however, at this stage converge, and the state functions are performed by Communal officials, these being in the Country Circles the Landrat and his committee, in the Town Circles the Burgomaster and the Magistrat.

In the past, towns were automatically freed from the control of the Country Circles and acquired the status of Town Circles, when they reached a population of 25,000. Under the new Circle Ordinance in Prussia, each case is to be decided individually.

The executive organs of the Circles and Government Districts are also administrative courts. The Provinces do not act in this capacity, appeal from the Government District going straight to the High Court in Berlin.

Developments in Local Self-Government.

Local self-government has attained its modern form much more

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slowly than local state-government, after the check given to it by the retirement of Stein, but it has developed according to his principles. He looked upon self-government as a means both to the self-development and personal freedom of the individual, and to the development of public spirit. His principles have nowhere been more justified than in the sphere of German local government. Unpaid service to the community is the duty of every German citizen. The main work of government is, however, carried on by paid officials, the elected assemblies being deliberative rather than executive. The local authorities have residual powers of government. They are not obliged to apply to the state for powers but may undertake any service not expressly allotted by the state to other authorities. This is in accordance with Stein's view that self-government is most real when most decentralised. Higher local authorities or, as they are called in reminiscence of their federal origin, Communal Associations, may, like the Communes, undertake voluntary activities. These did not interfere with the powers of the Communes until in recent time the higher bodies were allowed in some parts of Middle Germany, under certain circumstances, to claim functions exclusively for themselves. German local government is hierarchical in nature. The lower authorities do not as a rule come into direct contact with the state, but with the immediately superior state and self-governing bodies. This system has its advantages in that it prevents undue interference on the part of the state with the local administration, while state supervision is carried out by local officials with intimate knowledge of local affairs, but the great number of authorities through whom state decrees have to penetrate makes it very cumbrous, and it affords opportunity for a certain amount of local tyranny.

The 19th century witnessed the development of intermediate self-governing bodies, the Provinces and Circles (or their equivalents in non-Prussian Lands) being organised for this purpose. The system was at first federal. Only after the War have the Circle Assemblies been directly elected. The control of the state, very lax in the first reaction from centralisation, again became stricter. After 1831 the Landrat, the head of the Prussian Country Circles, was appointed by the state, who thus obtained direct and exceedingly important influence over local affairs. The towns, because they had been longer in the tradition of local government, could not be brought under state control in this manner. The state further exercised its influence through the approval of local taxation.

The trend of taxation through the century is particularly interesting, as illustrating the emergence of German local government from feudalism. Local revenues were at first modelled on feudal dues and fees. With the extension of government activities, taxation

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became the chief source of revenue (indirect taxes being followed by direct), but early taxes were themselves assessed to the inhabitants on the basis of the feudal dues paid by them.

The Present Organisation of Local Self-Government.

Local self-government received its present structure by the reforms of 1918 and 1928, the former abolishing the old class-suffrage, the latter the manorial estates, the last remnants of feudalism. These estates, where the functions of government had hitherto been exercised by the lords of the manor, have at length been assimilated to the Country Communes.

German local self-government, unlike English, bears in its organisation a close resemblance to the central government. There are certain variations from type in the different Lands but the prevalent system is that of two chambers, the one mainly deliberative, the other executive but with certain legislative powers. Those Communes which are organised on the Magistrat system correspond most closely to the central organisation. Here the executive, or Magistrat, consists of a number of officials, some of whom are heads of departments, while others are more like ministers without portfolio and represent the lay element in administration. This body has certain powers of initiative with regard to legislation, particularly in the case of the budget, which is prepared from the government benches, but all important decisions have to be made by the legislature. The Burgomaster under this system is simply the head of the executive. He does not preside over the assembly meetings, being in fact directly comparable to a Prime Minister. The heads of departments are paid officials, the other members of the Magistrat simply receive compensation for loss of time and expenses incurred. Burgomaster and Magistrat are elected, sometimes directly, mostly indirectly through the Council. Their appointment requires state ratification. Paid officials, including the Burgomaster, are generally appointed for a period of twelve years, the others remain in office simply for the duration of the council which appoints them. The Magistrat is thus half a cabinet, half a board of experts.

The other main type of Communal organisation is the Burgomaster system. This is found chiefly in the East of Germany and is attributable to the effects of French domination. Here the Burgomaster with his paid and unpaid helpers, who are not so much colleagues as subordinates, forms the executive. He is in this case also chairman of the Council. The Burgomaster system has certain advantages in that it renders administration direct and decided, while conflicts between legislature and Magistrat are avoided. The Magistrat system, on the other hand, allows a far stronger influence of the lay

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element and greater use of the practical experience of laymen. It ensures a more thorough working out of projects looked at from many different angles, since Magistrat officials are prevented from becoming too specialised in outlook by the general meetings of the Magistrat and, above all, by its joint meetings with the legislature.

The two chambers never vote together, but members of the Magistrat have the right to be invited to the meetings of the Assembly, while, on the other hand, when invited it is their duty to attend. They do not vote, but may speak. The honorary members of the Magistrat may of course vote if they are also members of the Assembly. Paid officials may now be members of assembly, but the custom still generally prevails that they lay down their mandates on becoming members of the Magistrat.

Both forms are, according to English ideas, essentially bureaucratic, in particular the Burgomaster system. It may be remarked in passing that the opposition between the two forms of government themselves from this point of view is not so great as at first appears, for the Burgomaster's executive cannot exercise such wide influence as the many-sided Magistrat. The German Socialists aim at abolishing the Magistrat system and at establishing a one-chamber system on English lines. Such a system does already exist in German, notably after the reforms of 1919, in Bavaria and Württemberg. The establishment of a one-chamber system runs, however, directly contrary to the tendency of modern government, since, owing to the very complexity and magnitude of government functions, more and more business of importance must be left to officials. Better, it may be argued, have the responsible officials in close contact with the legislature, as in the Magistrat they are, than leave important matters for decision by persons who come into little direct contact with the legislators. That kind of bureaucracy, at present threatening English democracy, is far less responsible than the German Magistrat. The Magistrat-system is modified by the formation of committees of the legislature for every important branch of administration, the officials having no power of decision on important matters without the appropriate committees. In Country Communes the Burgomaster is replaced by the Leader of the Council.

The legislative assemblies of the Communes, called variously in the different Lands, Assemblies, Committees, or Councils, are all elected on the basis of universal suffrage, according to proportional representation. The period of election varies from three to five years. The age limit is 20, while the age for election is in most Lands 25 years. The only suffrage restrictions are certain conditions as to length of residence. The members of the Council receive their expenses refunded, and compensation for loss of time.

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Circles and Provinces both have Assemblies elected every four years with executives elected by, though not necessarily from among, the Assemblies themselves, the only stipulation being that members of the executive must reside within the electoral district. The chairman of the Circle Executive, the Landrat, is, however, appointed by the state. He is perhaps the most important of all local officials, combining as he does in his person both state and communal activities. It is through the Landrat that the Prussian government keeps its hold on rural self-government. The fact that the state appoints the chief of the Circle Executive leads sometimes to intolerable positions, when executive and legislature find themselves entirely out of sympathy, and even in open opposition. Towns, when they become "circle-free," still maintain their old organisation and do not adopt a constitution similar to that of the Country Circles.

In the Province, state and local self-government executives are separate. That of the self-governing body consists of the Landesdirektor and his committee, elected by the Provincial Assembly, the committee holding office for six years, the Landesdirektor himself for twelve. The great weight of executive power lies with the Landesdirektor and not with the committee. The Provincial Assembly is elected indirectly through the Circle, the seats being distributed among the Circles according to population. In both Circles and Provinces the executive, like the Magistrat, possesses certain limited powers of initiative with regard to legislation and is responsible for drawing up the budget before it is presented to the Assembly. All important matters, however, are decided by the Assemblies, after joint sessions with the executives at which the official standpoint is explained and debated.

*The Local Civil Service.*¹

Local officials may be divided according to method of appointment into four classes. There are those who are appointed by the state, those who are directly elected, those chosen by the assemblies and finally those who owe their appointment to the executive itself. Classes two and three are also subject on appointment to approval by the state authorities in many Lands. Prussia, more than any other state, attempts to maintain influence over local affairs through the appointment of officials. In Class 1 come the Landräter. Burgo-master and certain members of the Magistrat, when directly elected, come under Class 2, when chosen by the assemblies under Class 3, which also includes the Circle and Provincial committees. All these officials may properly be called executive rather than administrative,

¹ Local officials and the staffs of local authorities are classed in Germany as civil servants.

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since they are chosen to a certain extent on party lines. Even the paid members of the Magistrat are party men in that party allegiance as well as technical qualifications is often taken into consideration at the time of appointment although they do not leave their posts on the election of a fresh assembly. These officials are given in Germany the suggestive title of "political officials." All others are appointed by the assemblies or executive on non-party lines. The old iniquitous system whereby no minor officials could obtain appointment except when adhering to the government party has been abolished by the stipulation that no applicant may be refused appointment because of his political views.

The rights and salaries of local officials are regulated by the Reich. The regulation of rights comprises stipulations as to appointment, holidays and pensions. Salaries have to be regulated according to Reich basic scales. Local additions are permissible, but Communal officials may not be paid more highly than Reich officials. The local authorities complain of the unnecessary complications and difficult negotiations concerning the grading of officials occasioned by the Reich regulations. The following are the average salaries paid to civil servants for the year 1925:—

(a) Reich civil servants	4,364 Rm.
(b) Prussian civil servants	3,994 "
(c) Municipal civil servants and permanent staff	3,426 "

It was formerly necessary for officials to have had a special administrative training. This is no longer the case as the work has become too expert. There still remain, however, a large number of schools where training in public affairs is provided.

The Functions of Local Authorities.

Local-government functions are divided in German into three categories, these being: delegated, compulsory and voluntary. It must be remembered that German local authorities have the power to carry out any services not expressly allotted to higher authorities. Delegated functions are such as are carried out on behalf of the Lands or Reich according to strict legal regulations. Compulsory functions are such as are imposed on the local authorities but are left to them to be carried out as they will. The earlier clear separation of delegated and self-government functions has of recent years begun to disappear, owing to the increasing financial participation, accompanied by *administrative* regulations, of Reich and Lands in tasks left legally to the local authorities for fulfilment. This is a state of affairs which is under modern conditions inevitable although extremely unpopular in Germany. That delegated functions are carried out on behalf of Reich or Lands does not mean that the latter bear even

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the greater part of the necessary expenses. This system was quite accepted in the past and was not considered as obscuring the boundaries of competence, since the financial participation of the local authorities in these services was accompanied by very little legislative control. The position is becoming increasingly difficult and from all sides arises the demand for administrative reform. It is now maintained that legal regulations should be accompanied by financial responsibility. Welfare, education and police are partly delegated, partly compulsory functions. Road-construction and drainage are compulsory functions. The most important voluntary activities are in the spheres of art and culture, in housing and business undertakings.

The duties of the higher local authorities are comparatively limited and confined to those activities which can best be carried out over a wide area. In Prussia the Provinces, as state authorities, have charge of the building and maintenance of main roads, though this is often delegated by them to the Circles; the same applies to local railways. As self-governing authorities they own, or are part-owners of, electricity undertakings, of reservoirs and irrigation works. They make grants towards the improvement of agricultural land, and the prevention of floods, while agricultural training colleges are supported by them. The Provinces are associated in the insurance of agricultural labourers against accident. They also maintain Life and Fire Insurance Departments, and contribute towards pensions schemes, including those for widows and orphans, for the officials of other communal bodies. The Provinces are further responsible for the maintenance of Banks. They are associated in Youth and Adult Welfare, in that they are responsible for such institutional relief as cannot be provided by the smaller authorities. They also administer the Provincial Employment Exchanges. The Provinces maintain a fund called the Provincial Aid Fund from which they help public utility undertakings and communal institutions by means of loans. This fund is financed mainly from loans, the maximum being settled by the state.

The Circles are mainly concerned with the administration of the Welfare and Public Health Services, with old age and health insurance, banking, housing and education, with lesser highways (except where the care of the main roads is delegated to them by the Provinces), with dykes and drainage and settlements on waste lands. They are also administrative police districts, while the Circle committees are the lowest administrative courts.

The powers of the Communes vary very much according to their size. The Town Circles combine all the functions of the Country Circles and Communes. Town Communes have wider powers than

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Country Communes, although the difference has been diminished by recent reforms increasing the powers of the Circles. Country Communes maintain local roads and have a school, a church and a cemetery. They carry out the laws relating to cattle-breeding and river-inspection. They often own a certain amount of property, including an inn with a hall used for meetings and festivities, gardens, woods and meadows. Occasionally a remnant of mediæval communism is to be found in the form of a bakery, while a possession common to new and old times is the public threshing-machine. Town Communes may have their own police,¹ their own "middle" and secondary schools, and they may carry out welfare and public health services when these are delegated to them by the Circles. In like manner they are sometimes responsible for housing. They own perhaps a gas-works, an electricity station and water-works, gardens, forests and farms. The method whereby Country Communes may become municipalised varies greatly in the different Lands. In Prussia application used to be made to the Ministry of the Interior, but in future if the population of a Country Commune reaches 15,000 it will automatically become a town. There are, however, chartered towns whose population is much less than this.

Central Supervision and Control.

According to the Constitution of Weimar, Art. 17, Communal Legislatures must be elected on the basis of universal suffrage and according to proportional representation. The Lands can make the vote depend upon one year's residence and raise the voting age above twenty, but cannot narrow the range of voters. According to Art. 10, the Reich can lay down the fundamental regulations concerning the rights of all civil servants, local as well as national. The Reich has also interfered by means of legislation in other fields, notably in the case of welfare, finance and taxation. Education is to follow. There are no direct administrative relations between the Reich and the local authorities except in so far as the raising of foreign loans is concerned. These have to meet the approval of the Reich Advice Bureau.

²Land regulation is three-fold. It consists of constitutional and administrative regulations and the legal control of certain services. The Lands lay down the principles of election within the limits set by the Constitution of Weimar. Some latitude is left with regard to constitutional forms. Towns are generally able to choose between the Burgomaster or Magistrat systems, although, according to the latest Prussian proposals, those towns which already have the Burgo-

¹ In the agricultural districts and in the larger towns the police force is under the direct control of the State. Only in small and middle-sized towns does it remain a communal body.

² i.e., State.

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master system may have to maintain it. The Lands also draw up regulations concerning the use of the initiative and referendum for local affairs.

The legal control of certain services arises generally from the delegation of state functions, although services originally started by the Communal authorities may later be regulated by the state and treated as delegated functions. Legal regulation is most thorough in the spheres of education, police and welfare. Housing is also to some extent centrally regulated.

Administrative control is most diverse in the different Lands. Nowhere is the English system of control through the granting of powers prevalent, since residual powers rests with the Communal authorities—the exception being that when local authorities wish to proclaim the monopoly of certain undertakings, they must first obtain the permission of the local supervisory state boards. State supervision is in general concerned with ensuring that local authorities do not offend against the law and that compulsory functions are carried out. In some Lands, local budgets have to be submitted yearly to the immediately superior state board for approval, in order to ensure that adequate provision is made for the compulsory services. The state authority may itself frame a budget if the local authority, within a given period, fails to reach agreement. Local accounts are in every case subject to state audit, while the raising of loans is in most Lands subject to state approval, at any rate in so far as provisions for interest and redemption are concerned.

State supervision is carried out, not by the central authority but by the local state officials.

Recent Tendencies in German Local Government.

There is a present tendency in German local government towards the formation of larger administrative areas, both by the combination of adjacent Communes into single districts and the establishment of *ad hoc* unions for particular purposes. Further, the Country Circles have gained power at the expense of the Communes.

The conditions for combination are specially strong in industrial areas, where growing residential suburbs cannot efficiently carry out the necessary public services or where the boundaries of hitherto independent authorities adjoin, so that administration by one authority over the whole area becomes most effective and economical. It is thus natural that the greatest number of combinations is taking place in the Ruhr and Westphalian industrial areas.

The legal basis of combination is to be found in the various ordinances concerning the constitutions and powers of local authorities. Local authorities may unite either when the parties are unanimously agreed, or when combination is deemed to be in the public interest,

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in which case it may be imposed by the state. Public interest is taken to be proved when a rural Commune is not able to carry out its duties, when new settlements necessitate the alteration of boundaries, when an *ad hoc* union for special purposes is impossible or insufficient, or when, according to the housing law of 1918, combination is necessary for the provision of houses. The Communes do not require to obtain a special law when uniting by agreement; the decision has simply to be ratified by the Superior State Board, with possible final appeal to the Minister of the Interior. The powers of the Communes to unite without obtaining legal sanction are strongly resisted by the Country Circles, especially in the West German industrial area. They demand that a special law should be made necessary whenever the Circle boundaries are disturbed by combination of the Communes. They claim compensation for the loss of territory involved and demand that the Landrat should be given power to participate in the preliminary transactions. They also desire the creation of a bureau to represent the rights of the superseded Communes. The attitude of the Country Circles, especially with regard to compensation for the loss of territory, is very much that of a vested interest. That the Country Circles have suffered through combination of the Communes is certainly true, many of them having been dismembered. This has led to a reorganisation of Circle boundaries. It is remarkable that the Circles have no corresponding powers of voluntary combination themselves.

The formation of *ad hoc* unions is sometimes viewed as an alternative to combination where it is desired to obtain the advantages of centralised government for certain purposes, while retaining local autonomy for others. Its significance is, however, much greater. Different services are not of necessity best carried out over one and the same area and the formation of *ad hoc* unions provides a means of adaptation to the special circumstances of each undertaking. These unions can be both voluntary or compulsory. If voluntary, the participating authorities have to draw up an agreement in the prescribed form, and present it to the immediately superior state board (Circle or Government District committee) which then modifies the plan submitted or ratifies it in its given form. Appeal against the decision may be made to the chairman of the state board, but only on the grounds that it is illegal or oversteps the powers of the board. Compulsory unions can only be formed for the purpose of carrying out services which all the authorities concerned are legally bound to perform, if such unions are deemed by the state supervisory board to be in the public interest. In this case the Higher President has the power to enforce the formation of a union through the medium of the Circle or Government District Committee, if one third of the

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participating authorities recommend such a union or a higher authority responsible for the supervision of local authorities does so. The Higher President himself prescribes the form of the compulsory union.

In addition to these communal unions there are other *ad hoc* unions enforced by the Lands, which regulate, across the boundaries of the Communes, Circles, Government Districts and Provinces, the formerly purely communal services of drainage, water-supply, tramways and housing. This is particularly the case where in thickly-populated areas there are powerful Country Circles which resist the extension of the towns. The Ruhr Town Planning Union, for instance, regulates inter-communal town-planning, traffic and open spaces, quite independently of communal or provincial boundaries.

Certain unions deserve special notice. There are in various parts of Germany Communal Associations inserted between the Communes and the Circles (or their equivalents) which have gained as much if not more importance than the Communes themselves. These are notably the "Landburgermeistereien" of the Rhineland, and the Westphalian "Aemter." They differ from *ad hoc* unions in that they form a further regional organisation and are responsible for carrying out many services. They themselves participate in other unions.

The organs of the *ad hoc* unions are the union committee and the chairman. The committee is elected by the participating local authorities, Burgomasters automatically becoming members. The unions are corporations under public law and can raise taxes, fees and dues. One peculiarity of the Prussian law needs notice. Provinces are not included among the authorities empowered to make *ad hoc* unions, it being felt that their predominant character as state supervisory boards unfits them for this purpose. In practice, when Provinces participate in such unions, which they increasingly do as their interest in industrial undertakings grows, recourse has to be had to special laws, such as those regulating the water companies of the Rhine and Westphalian industrial areas and the Ruhr Housing Union. In other cases the unions take the form of companies under private law.

Apart from these alterations in organisation, alteration is taking place in the distribution of power. Functions are being increasingly centred in the Circles at the expense of the Communes. Housing and Public Welfare can be taken as examples. Financial power has also been altered in favour of the Circles. The process of centralisation is almost inevitable under modern conditions, since services become less and less suited to administration over small areas. The smaller Communes naturally resist the tendency. Centralised administration, they claim, is by no means always more economical than local, in

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fact the costs of administration are often thereby increased. The spirit of local government also suffers. That close interest and participation in local affairs which is possible where the unit of government is small disappears when it becomes large and the influence of the individual remote. It must be noted that for certain services, for instance welfare and housing, provision is made for the delegation by the Circles of those functions to such Communes or smaller communal associations as they consider fit to perform them.

Nature of German Local Government: A Summary.

German local government is both narrower and wider in its scope than English. Certain services, such as police, primary education and large parts of Welfare and Public Health are to a considerable extent directly under state control, whilst others are carried out by the local authorities simply on behalf of the state and according to detailed state regulations. On the other hand the sphere of local activities is legally unlimited. The whole important field of commercial and industrial enterprises is left open to local authorities while they have long played a leading part in the furtherance of culture. The modern system of German local government originated at a time of strong reaction against centralisation and developed later under a paternal régime. Great advances were made under the old system and the history of German local government exemplifies the fact that it is easier to democratise a paternal government than to socialise a democratic one when the democracy is unsocially minded owing to the actual if not legal predominance of anti-social interests. The framework of German local government is hierarchic. This system has the advantage that state control is carried out by local state officials with an intimate knowledge of local affairs. The vast edifice of local government is, however, much too complicated and cumbrous to be really economical. In the first place the units are for modern conditions too small, in the second, important matters may be deferred from one body to another for decision, while several bodies are sometimes in the position to give conflicting orders.

No study of constitutional forms and administrative systems is sufficient to give a true picture of the condition of German local government. Wide as is its scope, it is being limited in two ways. Central regulation of services is constantly increasing, while financial freedom is diminishing. An analysis made by the German Union of Towns for 1925 showed that about 80 per cent. of the expenditure of local authorities was on delegated and compulsory services. Local authorities are now roused to demand that so-called state services should be largely if not entirely financed by the states. Otherwise the freedom of German local authorities will soon be rather a noble conception than a fact.

The New Transport and its Administrative Problems

By Sir CYRIL HURCOMB, K.B.E., C.B.

[*Paper read before the Institute of Public Administration,
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THIS paper reproduces some remarks which I made about a year ago at one of the Institute's monthly luncheons, prompted by a statement which had fallen a little while before from the lips of Mr. Gibbon. "Public Administration," he had said, "is not up to the needs of modern conditions." I was thus led to ask myself how far the statement was true in regard to the particular branch of administration with which I am concerned. Transport, since the War, has developed, under the stress of many inventions and changed economic conditions at a pace and in directions bound to create new administrative problems, and, in determining for me the title of my address Mr. Corner can plead some justification for using the phrase—the New Transport. There has been such a Renaissance of the Road and such a Re-formation of our Railways as to produce a new transport era.

How far has public administration recognised and kept pace with the altered state of affairs? In attempting to answer this question I shall not attempt at the same time to discuss the whole subject of the State in relation to the administration of transport (on which Sir Lynden Macassey has just addressed the Institute of Transport) or to pursue in detail particular aspects of the regulation of Transport. I shall confine myself to describing a few of the main administrative developments in relation to transport by rail and by road since the war and the views of the Royal Commission on Transport, as contained in their recent report, on what, I suppose, is the problem of problems in this matter, the co-ordination of all the various forms of transport in Great Britain.

In transport, as in other matters, the Great War produced and precipitated great changes. It left the railways in the possession of the Government, and entailing a heavy burden on the Exchequer. It left the canals also in the possession of the Government under a

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similar financial guarantee. Nearly every tramway and dock authority in the country was dependent upon emergency orders for the charging powers essential if they were to remain solvent. The roads had necessarily suffered neglect, and in many districts exceptional strain, and it was obvious that the highway authorities of the country would be faced with growing expenditure and a demand for new types of road to meet a new traffic of increasing volume.

As a contribution towards the reconstruction of our economic life, steps were taken in 1919 to concentrate, in a new Ministry, the powers relating to inland transport previously scattered among a number of departments, of which the Board of Trade was the chief. Civil aviation retained and still retains a home in the Air Ministry; the Board of Trade retains control of coastwise with other shipping, and of questions relating to navigation, pilotage, and similar matters which affect harbours and docks. But all other powers relating to railways, light railways, tramways, canals, harbours, docks, ferries and roads throughout Great Britain were transferred under the Ministry of Transport Act, 1919, to a new Ministry which was entrusted to a specialist Minister in the person of Sir Eric Geddes, who had been responsible for framing the Act.

It may be noted in passing that, in the process of collecting powers, the Ministry of Transport also collected an odd assortment of national properties. The harbours of Ramsgate and Holyhead, and the Crinan and Caledonian Canals are nationally owned and nationally operated. One simple and perhaps sufficient reason (not, I venture to think, result) is that they do not pay. Add the Menai Bridge to the list and you have before you the extent to which the State itself owns means of inland transport as distinct from regulating the transport owned and provided by private or local enterprise.

If we turn now to the problems which arose in connection with the various forms of transport, the railways first claim attention. Statutory undertakings are normally dependent upon powers of charge limited by statute, and charges based upon pre-war values were clearly rendered inadequate by the alteration in the value of money. While passenger fares had been raised during the War, with a view to restricting train mileage rather than increasing revenue, no increase had been made in freight charges, although the rise in wages and in the cost of material had brought railway expenditure to a level which was involving a heavy burden on the Exchequer to meet the guarantee of the 1913 net receipts which had been the financial basis of the arrangement for control. Heavy arrears of maintenance had accrued and capital expenditure had fallen into arrear. It was obvious, therefore, that a drastic revision of charging powers could no longer be deferred if financial equilibrium was to be restored.

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"The drain upon the railways and the disturbance of the normal flow of traffic made an immediate return to ordinary competitive working impossible" (Cmd. 654 of 1920)—and apart from any question of simply handing back the railways to the individual companies which owned them, the Government was not free to take such a step since an undertaking had been given in September, 1916, to extend the period of the guarantee for two years after the termination of the War. The Act of 1919 conferred exceptional powers upon the new Minister for a limited period of two years, "with a view to affording time for the consideration and formulation of the policy to be pursued as to the future position" of the undertakings to which the powers granted applied, and the Railways Act of 1921 was negotiated, framed, debated and passed within the two years prescribed. It ended the Government's control and inaugurated a new scheme of railway organization and regulation.

The Act stopped short of unification of the railway system but, leaving aside certain light railways and other miscellaneous small lines and the important group of electrified lines in the London area, the remaining railways of Great Britain were amalgamated compulsorily into four large groups, now becoming familiar under their new names. These groups were in all cases formed by simple amalgamations and in no case by dividing up the lines of an existing Company between one or more groups. The grouping was broadly determined on the basis of operating convenience and efficiency and with a view to eliminating competition over large areas, though competition was by no means eliminated altogether. A more logical grouping might have resulted if geographical or operating considerations had been exclusively regarded, but it was felt that the amalgamation of complete undertakings would avoid the great financial and other difficulties and the consequent delays which would have followed upon any attempt to truncate the existing systems. The basis actually adopted was clearly the right initial step.

It should also be noted that the separate Companies were entirely merged in the new railway units and ceased to retain any independent existence. If the new managements were to have the fullest opportunities to effect a complete internal consolidation of their new systems, to impose a centralised commercial and technical direction and to secure the maximum economies, it was necessary to extinguish any vestiges of separate interest. The proposals made in some quarters for securing co-ordination through the formation of holding or finance companies to control the individual lines would have fallen far short of the needs of the situation.

It is not my present purpose to comment upon the administrative problems which the amalgamations created for the new railway

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managements themselves. The internal organisation of an industrial unit of the nature and magnitude of any of the four railway groups is a problem in itself and it is one which different companies have approached on somewhat different lines. It cannot be said that there is any settled or agreed technique in the matter. Members of this Institute can hardly fail to be interested in the various types of organization suitable for handling these huge concerns, which by reason of their statutory position and other characteristics are bound to administer themselves in many respects on principles not very different from those applicable to the conduct of a Government Department itself; and if a railway manager could be persuaded to handle the topic at one of our meetings we should derive both pleasure and instruction from his exposition. Meanwhile, I would commend to your notice a most interesting paper on the subject, by Mr. Frank Pick, which appeared in the *Journal of the Institute of Transport* for April, 1930.

The methods adopted for bringing the railway amalgamations into being were effective. The Act scheduled the various lines to be absorbed and amalgamated in each group, and as regards terms laid down a general basis for the guidance of the Amalgamation Tribunal, which it named. The companies were given a limit of time within which they might agree schemes of absorption and amalgamation with one another, but the Act provided that, if agreement had not been reached by the requisite date, the Tribunal should settle the matter for them. This was a most salutary provision, and the result was that, by a series of agreed schemes, over 130 companies were reduced to four in the course of less than two years, at an administrative cost of a few thousand pounds. Only one serious difference was referred to the Tribunal, and appeals to the higher courts were confined to a few points of special character relating to individual small lines. In the United States of America, the Transportation Act, passed in 1920—a year earlier than our own Act—did not go to the length of imposing a statutory grouping, but directed the Interstate Commerce Commission to prepare a tentative scheme for consolidating the railroads. At the end of 1929, the Commission published a statement grouping the railroads into 21 groups as a basis for negotiation, but this tentative scheme, formulated after such long delay, was not acceptable to the operators. Quite recently, four of the important lines in the Eastern States are reported to have agreed to a scheme of amalgamation which they are submitting to the Commission; but it cannot be said that any scheme of grouping under the Transportation Act, 1920, has yet been definitely settled. It must be admitted that our own process of amalgamation was comparatively simple, thorough and swift.

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In setting up the Big Four railway units, which then appeared to be more monopolistic in character than they now are, Parliament, in accordance with its traditions, took steps to impose what is formally a somewhat elaborate control over certain of their activities. In this respect, the most important and the most novel provisions of the Railways Act, 1921, are those relating to the fixing of rates and charges.

The powers of charge of the old companies were contained in the special Acts of each of them as regards fares, and as regards rates were fixed by Orders made under the Traffic Act of 1888 and confirmed by Acts passed three or four years later. The Confirmation Acts fixed the maximum charges which the companies were entitled to levy, and within those maxima the companies were originally at liberty to make what charges they liked. This liberty was, however, curtailed by an Act of 1894, which laid down the principle that, if a company sought to increase any charge and complaint was made that the increase was unreasonable, the company must prove that the increase was reasonable; and for this purpose it was not enough to show that the charge was within the statutory limit. This naturally made the companies very chary of reducing a rate even experimentally, since they might fail to sustain the burden of proving that a subsequent increase was justified, if they found that they had gone too far. Under this system the companies fixed actual charges of general application, ordinarily known as "class rates," within which they were free to grant to traders special or exceptional rates. It has been estimated that there were 60 to 80 million such rates in existence and on the rate books of the companies, and that about 75 per cent. of the total traffic passed at one or another of these rates.

The Act aimed at sweeping away the whole of the complicated and inelastic system of charge based upon Parliamentary maxima fixed separately for each company, and substituted for it a scheme under which a Tribunal fixes, reviews and, if necessary, revises standard charges which the companies must make, though still leaving them a wide latitude as regards exceptional rates. The machinery by which this new system is administered merits a little attention. A new administrative Tribunal was established—the Railway Rates Tribunal—consisting of three permanent members, with whom there may be joined additional members of special competence, to be drawn from representative panels, for the purpose of special proceedings. The permanent members consist of a president, who must be an experienced lawyer, a person experienced in railway matters and a person experienced in commercial matters. The Tribunal is appointed by His Majesty on the joint recommen-

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dation of the Lord Chancellor, the President of the Board of Trade and the Minister of Transport. The cost of the Tribunal, in so far as it is not met by fees, is apportioned among the amalgamated railway companies. They make an annual report, which is laid before Parliament, and the Minister is both entitled to be heard at their proceedings and bound to give them such assistance as they may require and to furnish them with such information as he considers relevant. The right has been exercised on several occasions and the duty is constantly discharged.

The Tribunal was directed to fix the rates, fares and charges of each amalgamated company in the first instance at such a level as would, together with their other sources of revenue, in the opinion of the Tribunal so far as practicable, yield, with efficient and economical working and management, a standard revenue equivalent to the aggregate net revenue in the year 1913 of the constituent and subsidiary companies in the group, together with certain allowances in respect of new capital expenditure or expenditure which had not fully fructified in the base year.

It will be observed from the phrasing of the section that a substantial administrative discretion is given to the Tribunal. The Tribunal may take into account the financial results obtained from the operation of any ancillary and subsidiary businesses carried on by a company (such as a hotel or dock undertaking), and if satisfied that the net revenue therefrom is unduly low, having regard to the circumstances, make such deductions from the railway charges which would otherwise have been fixed as they think proper. This is an ingenious method of enabling the Tribunal to fix charges for railway services at a lower level than they would otherwise be prepared to sanction if they think that a subsidiary business is not being made to yield an adequate revenue, but it has not in fact yet been applied.

The Tribunal is also directed to have regard to the means which in their opinion are best calculated to ensure the maximum development and extension in the public interest of traffic by rail, and are to ascertain the effect which existing charges have had upon the traffic to which they are applicable.

In fixing charges, the Tribunal is to have regard to efficiency and economical working and management; and it may be asked where any standard of efficiency and economy is to be found. One answer, though a broad one, may be found in the application of the principle of "publicity and measurement." In addition to empowering the Minister to prescribe the manner in which the accounts of the companies are to be compiled, thus among other things occurring uniformly, the new legislation extended the statistical infor-

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mation required of railway companies in many important directions. It was generally felt by those interested in railway operation, about the beginning of the present century, that an improvement in the statistical methods of the companies was overdue. The statistical information then published was alleged to be "jejune." A substantial advance was made by the Railway Companies (Accounts and Returns) Act, 1911, but this Act left much to be desired. In particular, it failed to require the compilation of ton-miles—a statistic without which the measure of work done is lacking. The Ministry of Transport Act, 1919, enabled the Minister to obtain a wide range of returns and statistics from the railway companies; and these powers were fully exercised, and were made permanent by the Railways Act, 1921. As a result, the Rates Tribunal has constantly before it a broad picture of the operating efficiency of the railway companies so far as that can be supplied by comparative statistics. There is, of course, a risk that statistical compilations may become stereotyped and cease to stimulate thought; they need, therefore, to be looked at afresh from time to time. The Royal Commission on Transport has suggested that the present requirements might be reviewed with the object of seeing whether the number of returns might be reduced and their form simplified. The Ministry of Transport has always been willing to review its requirements in these matters and has made a point of requiring, as far as possible, information which is also valuable to the undertakings themselves for their own purposes.

It is now generally recognised that no large and complicated business can be directed without the aid of accurately focused statistics. The business of most transport undertakings, and not railway companies only, lends itself readily to this treatment. Provided the information collected is quickly made widely available to those who can use it, there are few branches of activity which are more properly undertaken by the central government than the compilation and effective presentation of statistics. It has been the aim of the Ministry of Transport to bring its methods and the methods of transport undertakings themselves up to date. This has already been achieved in the case of railways and of tramway undertakings, while an annual census of road vehicles and a biennial census of traffic on each class of classified roads are also now obtained. Under the Road Traffic Act, 1930, a beginning is at last being made to obtain some uniform information as to the rapidly growing volume of passenger transport by road, a field in which, outside London, accurate knowledge has hitherto been largely wanting.

There is another way in which the Railways Act, 1921, gave to the Minister a new power of administrative interest. He is able to

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encourage and even require standardisation. In the terms of the section, he may "require or authorise railway companies to conform gradually to the measures of general standardisation of ways, plant and equipment (including methods of electrical operation, type, frequency and pressure of current)." In the important matter of electrification, steps have been taken to secure uniformity of practice and to safeguard the future. Encouragement—though not by formal order—is being given to the wider adoption of the 20-ton wagon: for the rest formal action has not hitherto been attempted. It was said at the time of grouping that "to amalgamate is to standardise," and the saying has obvious force. But it is not the whole truth, and four companies may be enough to display divergent tendencies in matters where the practice of one might with advantage be the practice of all. A right to enforce common standards may be valuable in the last resort. In practice, however, in matters relating to the commercial and technical side of railway operation and development, we tend to keep such powers as the State possesses in reserve for matters of national scope and importance and to refrain from the detailed and constant intervention in management practised, for example (for reasons which no doubt are good in a different atmosphere and in different circumstances), by the Inter-State Commerce Commission and the Public Utility Commissioners of the separate states in the United States of America. These bodies are, for example, concerned to intervene in such matters as the use of containers and the number of agents to be employed at particular stations. A study of their action in these directions, and consideration of the difficulties encountered in working out the principles of the Transportation Act, make it difficult to resist the impression that our administrative methods are swifter, less vexatious and probably in the long run no less efficacious in protecting and securing the public interest.

There is one respect in which the scheme of rate-fixing contemplated by the Railways Act has not been realised. In 1921, the rapidity and extent of the growth of road competition could hardly be foreseen, and it was hoped that it would be possible to extinguish a very large number of the exceptional rates which cumbered the rate books in tens of millions, and to raise the necessary revenue largely by the standard charges fixed by the Tribunal. On the principle that charges should yield, so far as practicable, a standard revenue, it is obvious that every payer of rates and fares who is called upon to contribute his quota has an interest in seeing that no other user of the railways pays less than the quota. Exceptional rates were, therefore, regarded as departures from the true theory or system of rate-making, and as such properly subject to special super-

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vision. In leaving the railway companies a wide latitude to quote exceptional rates, the Act imposed a condition that such rates should be reported to the Minister, who is in turn required to refer the matter to the Tribunal if, in his opinion, new exceptional rates are being granted so as to prejudicially affect any class of users of the railways not benefited by such rates or so as to jeopardise realisation of the standard revenue. If the exceptional rate is very close to the standard (less than 5 per cent. below it) or is very much below it (more than 40 per cent. below the standard), the prior sanction of the Tribunal is required before the rate is put in operation.

The growth of road competition has largely frustrated this hope of simplification of railway rates. A vast number of rates in force under the old system was carried forward under the provisions of the Act, the approval of the Tribunal being obtained where necessary; and the railways reported to the Ministry of Transport in 1928 over 100,000 and in 1929 145,000 additional new exceptional rates. In 1930 the number reported was 110,000, so that the railway companies have been adding to their exceptional rates at the rate of 2,000 to 3,000 a week. The elasticity of the system prescribed in the Act may, however, be illustrated by the fact that about 90 per cent. of the total rates granted are within the discretion of the companies to grant, subject merely to reporting them. The Tribunal sits at frequent intervals to deal with applications which require its prior sanction, and the convenience of resort to a specially constituted administrative Tribunal is well illustrated. A more rigid statutory scheme of restriction or of procedure would certainly make the commercial operation of the companies very difficult and unduly hamper them in competition with the roads.

The policy and method of amalgamating the railway companies was effectually carried through "according to plan," and, although no one has succeeded in measuring the amount of the economies which have resulted from the amalgamations, as distinct from other causes, there can be no doubt as to their reality. The part of the Act which relates to rates and charges, on the other hand, has been brought into operation in times of peculiar difficulty and in circumstances not anticipated by the authors of its provisions. The prolonged depression in the heavy industries and the rapid growth of road competition have created a situation which could not be fully foreseen.

The main criticism directed against the conception of a standard revenue was that it would necessarily involve an increase in charges in times of depression, when such an increase would add still further to the difficulties of traders, reduce the volume of traffic, and so react on railway receipts, with the consequence that the companies

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would be driven round a vicious circle still further to increase their rates. While any such dilemma has hitherto been avoided, the position obviously remains one which must tax the statesmanship of all those concerned in the working of the Act, and it would be premature to form any final conclusion as the particular scheme of regulating railway charges by reference to a standard revenue upon the experience of so exceptional a period and until the relationship between rail and road transport has reached a further stage of adjustment.

The growth of a new competitor, in road traffic, has thrown into relief the extent to which the railway companies are regulated in their commercial operations by statutory provisions and restrictions. A good deal has been said about the "bondage" in which the railways are held in thrall as a result of a century's output of traffic and regulation Acts relating to undue preference and other matters. The carrier by road is free to pick and choose his traffic, and is under no obligation to afford equal and regular facilities to all traders similarly circumstanced. The railway companies, on the other hand, are in many directions carried on under the conditions of regulated monopoly. The Royal Commission appear to have found difficulty in obtaining specific proposals for removing or mitigating disabilities of this kind, and this no doubt accounts for the absence of definite recommendations from their report. In general, however, they express the opinion that the present system of regulating rates and charges appears to work satisfactorily, and they say that they are not prepared to disturb it. The practice of dealing with exceptional rates, to which I have referred, shows that it is possible to apply a statutory machinery in a businesslike way, and generally I think it may be said that Parliament has succeeded in its aim of providing a suitably constituted administrative Tribunal which can consider the essentially economic question of railway rates, so far as possible, in an atmosphere removed—to quote Sir William Acworth's phrase—"from the rigidity of Statute Law." Further elasticity may have to be introduced, and the advisability of limiting the freedom of the railway companies to quote competitive rates and the necessity for maintaining the elaborate classification of merchandise, for which they themselves sought the approval of the Tribunal a few years ago, will doubtless continue to be called in question. Another line of approach suggested to the Royal Commission was that greater control should be exercised over carriers by road. This avenue also is likely to continue to call for exploration. It would indeed be tempting to go on to examine how far the advent of road competition, basing its charges largely on cost, affects the theory and practice of railway rate-making, which was founded on the older

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principle (applicable to a monopoly with a high proportion of fixed capital), of charging what the traffic will bear. But this is not a question for this evening.

In any case, old methods and principles, sound and sufficient during a century of supremacy, need and will receive overhaul and adaptation; and it cannot be supposed that, after a mere hundred years of life, the railway system has reached its final stage of development or organization.

When one turns to the roads, it is difficult to resist the force of Mr. Gibbon's stricture that public administration lagged behind modern needs. Yet here also much has happened during the last two years.

In highway administration the Roads Act, 1920, marked a great advance. The establishment of a Roads Department as part of the new Ministry and the extension of the powers to make grants to highway authorities for additional purposes, including maintenance, enables the central government, in co-operation with the highway authorities, to bring the road system of the country up to modern requirements and to introduce into highway engineering practice standards which, while not aiming at rigid uniformity irrespective of circumstances, enable us to regard the network of our roads as a whole. This is emphasized by the classification of roads according to their importance as links between centres of population. The central administration, in this and other ways, recognizes the national significance of the highway system without over-riding local responsibilities. It may be added that half the salaries of highway surveyors may be defrayed by grants from the Road Fund, and most authorities take advantage of such grants. Sir Henry Maybury pointed out, at the summer conference in 1924, that "a fruitful and serviceable partnership has been set up between district councils, county councils and the State, each of the parties accepting a degree of responsibility corresponding in some measure with the functions of these different grades or strata of administration. Broadly speaking, roads of local utility are maintained by the district councils, with only occasional help in special cases from county or State; while the upkeep and improvement of main roads is entrusted to county councils, who, in so far as the roads are classified, receive from the Government's Road Fund grants of 50 per cent. for first-class roads and 25 per cent. for second-class—a few exceptional cases receiving special treatment." He added that there was no reason to suppose that the terms of the partnership were immutably fixed for all time, and that as traffic conditions altered a revision of the scheme of classification and administrative responsibility might be expected. Since he spoke, the rates

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of grant have in fact been substantially increased and the system of highway administration has been reorganized. It became increasingly obvious that the resources of the smaller highway authorities, in money and in staff, would no longer suffice to meet the strain of providing roads for modern motor traffic, and, under the Local Government Act, 1929, rural district councils in England and Wales ceased to be highway authorities. The counties became administratively responsible for all roads in the rural districts as from the 1st April 1930.¹ This substitution of the larger for the smaller administrative unit was qualified by a compromise. The county was empowered to delegate the maintenance and improvement of roads to the districts, and, so far as unclassified roads are concerned, the districts were given certain rights of appeal to the Minister if the county refused to delegate upon their request. When the transfer of function took place, out of 639 rural district councils 257, or 40 per cent., secured delegated powers. Out of 208 appeals the Minister allowed 88. In the other 169 cases the delegation by the counties was voluntary.

It has become a commonplace of economic history that between the disappearance of the Romans and the general institution of the turnpike system this country perpetually lagged behind the needs of successive ages in respect of the maintenance and improvement of roads, and, writing of England in the reign of Queen Anne, Trevelyan puts his finger on the source of the trouble, then and long after, when he says: "The badness of the roads was due to the want of any adequate administrative machinery for their reconstruction or repair." This has been recognized and for the time being remedied. Whether the county itself is a sufficiently large unit to remain indefinitely the authority for through roads of a trunk character is a question which is likely to be raised from time to time in different quarters and from different angles, but meanwhile it may be noted that the Royal Commission has declared itself against a system of "routes nationales."

In regard to the regulation of road traffic, it is amazing to reflect that substantially no legislation was passed since the Motor Car Act, 1903, until a few months ago. Sir John Brooke, in a paper which he read to the Institute about a year ago, dealt with what was then the Road Traffic Bill and has since become the Road Traffic Act, 1930.

This absolves me from the necessity of dealing with its provisions in detail. So far as the control of traffic is concerned, the Act confers substantial powers on the administrator, subject to the

¹ In Scotland the county similarly assumed the responsibilities previously attaching to the district committees and small burghs.

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usual safeguards of consultation with the interests concerned and presentation of the regulations to Parliament. In this connexion I may remark, as a matter of some interest, that, although in accordance with the recommendation of the Royal Commission on Transport, the Bill as introduced gave the Minister no power to vary the speed limits laid down in the First Schedule, Parliament itself insisted on leaving that matter open to variation by regulation (subject, it is true, to affirmative resolutions by both Houses).

The Road Traffic Act has necessarily left a large number of technical and quasi-technical matters to be dealt with by departmental regulations; and in the exercise of those powers the Minister is required to consult, as he would in any case have done, representative organizations as he thinks fit. A great deal of care and time has been spent in ascertaining the views of the highly organized bodies interested in road traffic, but the consultations have extended also to organizations of pedestrians and bodies representative of agriculture, and have covered, I think, all possible users of the roads. The highly skilled officials of these bodies, while vigilant in the interests of their members, have rendered great assistance to the Ministry in the framing of regulations, and it may fairly be said that, even if the point of view of those affected by the regulations cannot always be met, it is at least appreciated.

New regulations as to the construction and use of mechanically propelled vehicles have already been made. They repeal or consolidate 26 previous regulations and orders and introduce some important new principles. Among them may be noted the requirements that all vehicles should be equipped with windscreens of safety glass, and that all mechanical transport, with exceptions for vehicles of quite special types or character, should, by 1st January, 1933, be completely equipped with elastic tyres. All motor cars and heavy motor cars (including lorries), and all trailers drawn by them, must be equipped with pneumatic tyres. All new vehicles registered after 1st January, 1933, must comply with this last requirement, and existing vehicles (if they have not exhausted their useful lives at an earlier date) must effect the change-over before 1st January, 1940. I mention these as instances of the way in which progressive tendencies already in train can be guided and expedited through judicious use of regulatory powers.

There are certain special features of the Road Traffic Act of which mention should be made in considering whether our administrative practice is up to date. In the first place, Section 54 provides for the issue of a highway code. This novel type of public document will be issued by the Minister in pursuance of the Act and with the express approval of both Houses of Parliament, but will

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not have statutory force in the sense that failure to observe its provisions will, in itself, constitute an offence. On the other hand, failure on the part of any person to observe any provisions of the code may be relied on in any proceedings, whether civil or criminal, as tending to establish or negative any liability which is in question in those proceedings. It is thus a code of advice given with authority to all users of the roads. It will come to be accepted as a code of manners, to be observed as a matter of course by all "courteous and considerate" persons, and those who deliberately ignore it will do so at their peril. As the code is meant to reach the minds of the public at large, whether they are motorists, pedestrians or equestrians, special steps have been taken to gather the widest range of opinions as to the provisions which it should contain. Organized bodies representing every class of road user, including pedestrians and those interested in horses and horse-drawn traffic, were asked for their observations and subsequently to attend a special conference to discuss the suggestions made. The Press has rendered useful service in the matter by making the draft code widely known and by focussing attention on important points.

The highway code is in another respect a novel type of public document. Avoiding the language of the lawyer and every kind of official jargon, it is couched in language which can be understood of the people and adopts the imperative mood throughout.

To the motorist it says, for example:—

"Remember that your horn should not be used as a threat."

To the cyclist:—

"Do not wobble about the road."

To the pedestrian:—

"Do not make a sudden dash into the carriageway."

Just as Parliament, in abolishing the speed limit for ordinary motor cars, was influenced by the probable psychological effect of its action in making people realise that speed is only one factor in dangerous driving, so the highway code aims at fostering a right psychology in all users of the roads.

With a view to promoting safety on the roads, the Ministry is also authorized to incur expenditure from the Road Fund in "disseminating knowledge or otherwise informing the minds of the people."

The Act, however, does not stop at advice and exhortation. It authorizes advances from the Road Fund towards any expenses incurred by a police authority in the provision and maintenance of vehicles or equipment for use by the police force in connection with the enforcement of the Act. These special mounted police units, untrammelled any longer by legal limits of speed, may be en-

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countered at any point on the highway system, and the prospect of meeting them is likely to exercise a sobering influence. The object of these police is, as the Home Secretary has pointed out, not merely the detection of offences, but the prevention of offences and acts which impede traffic or are likely to interfere with safety or the convenience of other users of the roads. The appeal to reason through the Highway Code, and the friendly correction of thoughtless behaviour on the spot by the mobile police will be potent influences in favour of better order on the road, of which, indeed, according to competent observers, there are already encouraging signs. Let me here say that these police units are neither spoken of nor thought of in the Ministry of Transport, the Home Office or the police force as "traffic cops," any more than motorists are called "road-hogs" or all pedestrians "jay-walkers." I once heard Mr. Stenson Cooke ask a witness before a committee whether he agreed that motorists as a body were "decent chaps." If we are to use colloquialisms, that is the kind to use, and, as our way of thinking is often influenced by our way of speaking, it is important not to miscall other groups of persons whom we meet upon the road, whatever their function or whatever their means of locomotion may be.

It is natural that questions affecting the individual motorist should have attracted most public attention, but I pass now to an equally important administrative reform. The Act makes an entire change in the system of licensing public service vehicles. Over 1,300 separate licensing authorities (and in many areas no licensing system at all was in force) will be relieved of their functions on the 1st April, and their jurisdiction will be exercised by twelve bodies of regional commissioners, three in number in each area. The Chairmen hold whole-time appointments, but their two colleagues are selected from panels nominated by the counties and by the larger urban authorities respectively. On appointing the chairmen, advantage has been taken of a wide field of choice, and the selection includes two lawyers, three chief constables and an experienced tramway manager. For the Metropolitan area a separate commissioner is appointed. The motor coach and the omnibus will in future be unable to operate without a road-service licence granted by these commissioners, who are directed by the Act to take into account a variety of important considerations in the exercise of their discretion to grant or withhold licences. They must be satisfied that the timetable of the service is such that the provisions of the Act relating to speed limits are not likely to be contravened. They are to have regard to the suitability of the routes, the extent to which the needs of the public are already adequately served, the extent to which

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the proposed service is necessary or desirable in the public interest, and to the needs of the area as a whole in relation to traffic, including the provision of adequate and suitable services, the elimination of unnecessary services and the provision of unremunerative services and also to the co-ordination of all forms of passenger transport, including transport by rail. They may take into consideration any representations in regard to these matters which may be made by persons already providing transport facilities along or near to the routes in question, or by any local authority in whose area the route or any part of the route is situate.

They may, further, attach to a road-service licence conditions for securing that fares shall not be unreasonable, that where desirable in the public interest they shall be so fixed as to prevent wasteful competition with alternative forms of transport (a statutory recognition of the undesirability of price-cutting and "piracy" on the high road), for controlling the points at which passengers may be taken up or set down or may not be taken up or set down, and generally for securing the safety and convenience of the public. It will thus be within the powers of commissioners to produce a coherent and co-ordinated system of passenger transport in their respective areas. Close touch will be maintained between the commissioners of adjacent areas. Where the vehicle runs through more than one area the formal backing of the licence by the commissioners for each area is required, and, as appeals from the decision of the commissioners lie to the Minister, there will be further opportunities for producing uniformity of administration in so far as that is desirable.

Here, again, I would ask you to note the marked degree of administrative discretion which is accorded to and indeed enjoined upon the Traffic Commissioners. They must, of course, act impartially and in a judicial manner and spirit. The statute itself, as I have shown, gives guidance, in considerable detail, as to the considerations to which they must or may have regard, but much is left to their skill and common sense in solving their problems. Concentration of the licensing work hitherto performed by over a thousand separate authorities, as well as that of licensing of thousands of vehicles hitherto unlicensed, in the hands of the twelve new bodies of commissioners involves centralisation on a formidable scale, and the establishment of this type of regional control over our latest public utility is an experiment in administration which will be watched with interest in its practical operation.

It may, then, be claimed that, so far as concerns the control of road traffic in general and the control and regulation of public passenger transport by road, the Legislature, greatly aided by the

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first two reports of the Royal Commission on Transport, has now brought the scheme of administration up to date. The detailed working out of the principles laid down will take time. It seems probable that passenger transport by road will tend to gravitate more and more into the position of a regulated monopoly. If the eventual structure of the industry can hardly yet be clearly seen, its main tendencies are easy to discern.

Municipal and other local authorities, in addition to owning about two-thirds of the tramway system, owned in September last no less than 4,865 omnibuses with a seating accommodation of over 14 persons, out of a total of 41,629 such vehicles licensed, or nearly 12 per cent. The Act facilitates the grant of additional powers to run omnibuses to local authorities, if they are already empowered by Parliament to run transport services by road, by substituting application to the Traffic Commissioners for procedure by Private Bill.

As the Act also facilitates working agreements between local authorities and one another and with companies or persons engaged in providing road transport services, co-ordination between the services of adjacent municipalities and between those conducted by municipal enterprise on the one hand and private enterprise on the other is possible and is in various forms developing in many areas. Important agreements have, for example, been made between the railway companies and some of the large boroughs in Lancashire and Yorkshire.

Within the ranks of private enterprise there are the statutory railway companies and a number of large omnibus and motor coach companies which are not statutory concerns. The railway companies have not used their new powers to run road services themselves on a large scale, but have adopted a policy of investment and joint management of existing passenger undertakings. They have usually refrained from acquiring more than a 50 per cent. interest, thus stopping one per cent. short of the holding required to give formal control. The full extent to which this investment (already amounting to about £9,000,000) will be carried, as well as the length to which the policy of amalgamations of existing non-statutory road companies will go, have yet to be witnessed. Lastly, the function and the rightful place of the small man, operating a few vehicles in a more or less local service, in relation to large-scale enterprise, whether municipal, railway or private, has to be determined. One must recall, in this different context, the remark made by Robert Stephenson, nearly eighty years ago (in 1853), to a Select Committee on Railway and Canal Bills: "Where combination is possible, competition is impossible." Rapid developments

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are certain, and we may look for a growing tendency to consolidate interests and pool resources, which may in turn call for some further strengthening of control. There will be no lack of problems to keep the new Traffic Commissioners busy, but, guided by considerations of public interest, they will no doubt be able by their decisions, as time goes on, to secure efficiency and economic progress. In the sphere of road passenger transport, the pressing problem of co-ordination may be said to be already on its way towards solution.

What can be said of goods transport? The Royal Commission heard much evidence on this point. The persons employed and certain groups of employers were strongly in favour of a licensing system for goods transport by road, while the Commercial Motor Users' Association were as strongly opposed to anything of the kind. The Commission concluded that it would be greatly to the advantage of the road haulage industry itself if it were placed on an organized basis and that the organization of the industry was an essential precedent to any attempt at general co-ordination with other forms of transport. They were struck by the mass of "statutes, agreements, rules and practices" which bind and to some extent fetter railways, inland waterways and shipping, as compared with the freedom of the firms and individuals engaged in goods transport by road, who, "while endeavouring to compete with other forms of transport, are at the same time engaged in bitter and uneconomic strife with each other in their own particular branch." They therefore recommend that road hauliers, namely, those holding themselves out as willing to carry the goods of others for hire or reward, should be placed under a system of licensing to be administered by the area traffic commissioners established for passenger transport. The Road Traffic Act has already applied to goods vehicles provisions relating to compulsory insurance against third-party risks, the limits of time for which drivers may remain continuously on duty, and the physical fitness and ages of drivers. The Royal Commission recommend that road haulier's licences should embody two further conditions, both now imposed on those operating public passenger vehicles, namely, the fitness of the vehicles, and consequent liability to inspection at any time, and the application of the Fair Wages Clause with a view to ensuring adequate conditions of employment. Whatever may be the fate of these particular recommendations, there is a growing willingness to recognise that we cannot afford unrestricted competition in transport, and the commission evidently regard goods transport by road as the immediate field for new co-ordinating action.

In regard both to docks and to canals the Commission suggest that a more economic unit of organization might be found. For

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canals they re-affirm the view of previous investigating bodies that public trusts should be formed, and propose that, failing the submission of voluntary schemes within a short period, the Minister of Transport should take steps to set up such trusts, which would acquire such canals as he considers it would be in the national interests to preserve and improve. They do not, however, deal with the crucial question of finance which must arise out of any such proposal.

As regards docks and harbours, they appear to have been impressed by the argument presented to them that the best kind of authority to own docks and harbours is a public trust, and that it should be to the public interest if such trusts were not confined to single ports, but controlled all the harbours in a particular coastal region. When, however, the matter is looked at in detail, they point out that many of the railway-owned harbours are in the nature of railway stations, that many of the remainder are used exclusively for the shipment of coal, all of which arrives by rail, and that in other instances railway-owned ports, such as Southampton and Hull, can show conspicuous development. Their recommendation, therefore, remains qualified.

Taking stock of the position at this point, one may say that the Commission regarded the co-ordination of the railways with one another as sufficiently, though perhaps not fully or finally, provided for by the Railways Act, subject to elimination of joint lines and some further pooling of resources. Whether consolidation should be carried further under the basic principles of that Act they do not discuss. The canals, they suggest, should be amalgamated under a number of public trusts, and some regional grouping of docks might be considered. In passenger road transport, the bold scheme of internal co-ordination recommended in the two previous reports of the Commission is already embodied in the Road Traffic Act, 1930. Covering not only omnibuses, motor coaches and trams, the scheme offers also opportunities for co-ordination of rail and road passenger services. The latter process is being helped and accelerated by the acquisition by the railways of substantial interests in road service organizations. The Royal Commission expect that by similar methods the railway companies will extend the area of co-ordination in the carriage of goods by road, and, with a view to introducing greater stability and order into the services of road hauliers by goods, they recommend that such hauliers should be licensed by the area traffic commissioners just established.

But when one passes from the problems of the internal co-ordination of rail transport as one system, of passenger road transport as another, and goods transport by road as a third, to

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the wider question of the co-ordination of all the different forms of transport with one another, one passes indeed to a question about which many people talk and think nowadays, but to a task which it proved difficult even to investigate along definite and practicable lines. For that very reason, it formed a principal part of the reference to the Royal Commission, the time-honoured machinery for exploring and clarifying troublesome issues. The Commission were instructed to consider and report "what measures, if any, should be adopted . . . so far as is desirable in the public interest to promote the co-ordinated working and development of the available means of transport in Great Britain."

Confronted with this problem, the Commission admits that it has been unable to come to any definite conclusion. No one, they say, at this state of our economic development would claim to decide by administration what class of traffic should be carried by what means, or what goods, or at any rate what particular consignment of goods, should, in the national interest, be sent by one form of transport rather than another. The Commission as a whole, confessing that for the present they can see no immediate solution, suggest that the Ministry of Transport should keep the general trend of development in transport under constant observation, and should appoint a permanent advisory council whose principal duty would be to study transport problems and advise what action can usefully be taken from time to time to promote the co-ordination and development of transport generally.

The Commission conclude their report with a discussion of this whole aspect of their reference, and this part of their report summarises in a very interesting and valuable way the broad issues which will claim increasing attention not only from those concerned with public administration, but from the industry itself. Complete co-ordination of all the forms of transport seems to them impossible without complete unification, excluding only private motor cars and goods vehicles owned and operated by business firms for their own purposes. This can, they suggest, theoretically be secured either by (1) nationalization, which is defined as the ownership and operation of all the means of transport by a Government Department, under a political chief, or (2) rationalization, which is defined as the merging of all the existing transport agencies in one huge combine, or (3) by a combination of these two processes, which would combine national ownership with private operation, or (4), fourthly and lastly, by the formation of a public trust which would not work for profit, would have a fixed rate of interest on its capital, would devote all its surplus funds to the improvement of facilities, and would be entirely divorced from political action.

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Three of the commissioners, of whom our chairman¹ is one, definitely pronounce for the last of these alternatives. They advocate the establishment of a national transport trust, to be formed by the purchase of the properties of the railway companies, of the motor transport services, and of such canals as may be deemed to be essential parts of a national scheme, and the delegation to the trust of the duty of managing the unified undertakings on commercial lines. They further recommend the appointment of expert commissioners to examine and report upon the practical application of their proposal.

But on their analysis of possible alternatives the commission as a whole base no recommendation, first because the changes necessary would be of such magnitude, financially and otherwise, that they could not be carried out immediately, and secondly because the majority of the members felt that the positive recommendation already referred to goes as far as is "safe and reasonable" in the direction of bringing about co-ordination in the national interest.

Without discussing these conflicting views and truly gigantic possibilities, I will conclude my paper by trying to state, in a summary form, three or four points which seem to me to emerge from this survey, incomplete and disjointed as I am afraid it must appear, of some of the administrative problems which are now being worked out or still loom before us in connexion with the transport industry.

(1) We have been, and to some extent are still, groping after the right *unit*, whether that unit be the administrative unit or the economic unit. The question just how comprehensive a monopoly of one or more forms of transport should be is perpetually emerging. It is not easy to find the right economic unit and to assign to it the right economic field, but there is nothing of more fundamental importance. The wrong unit has cost a good deal in the past.

In the railway sphere, the amalgamations effected by the Railways Act of 1921 reduced about 130 companies to four. Ten years is too short a period to enable us to say that railway organisation has reached finality or that the correct economic unit has necessarily been found, but no one, I think, would wish to go back on what has been done. While as regards canals the old units remain unaltered (with the important exception of the recent amalgamation of the Regent's Canal and the Grand Union Canal, and three smaller undertakings to which yet another three are shortly to be added) the importance of grouping has been stressed by every Commission or

¹ Sir Robert Donald, G.B.E.

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Committee of inquiry which has investigated the matter. Even in dock administration some opinion favours regional grouping.

In highway administration, the central government through grants from the national Road Fund has increasingly assisted all classes of highway authorities in the maintenance and improvement of roads which have come to assume more national and less purely local importance. National standards for through routes are thus gradually established without disregarding local circumstances. But notwithstanding it has been necessary to concentrate responsibility for highways in fewer bodies and to transfer a large additional mileage of road to the largest existing units of local government, namely the Counties.

In a different type of administration, the functions exercised by over 1,300 separate and local licensing authorities have been transferred to 12 bodies of regional Commissioners, who in future will control the licensing of all public passenger transport by road outside the London area.

This drastic centralisation of function is tempered by contact with local government through the nomination of the panel members and constitutes an important experiment in the regulation of a public utility in this country.

Upon the roads, co-ordination and amalgamations of passenger concerns continue to take place, and the existence of municipal and private enterprise side by side in a large number of local centres need be no bar to schemes for co-operative working. The extent of these movements and the direction which they take, and the whole development of this great modern public utility under the control of the Area Traffic Commissioners are matters of wide-spread interest.

Nor can the larger problem of the co-ordination of transport cease to demand attention, even if it be found that the process must be slower and the solution piecemeal, and, though the term is an Irishism in this connection, achieved *ambulando*.

(2) The almost uncontrolled development of road traffic has gone to show that it is a mistake to leave legislation unrevised too long. This very delay, has, however, perhaps helped to secure recognition of the fact that, when legislation is passed dealing with a changing subject matter, it should not be too rigid but should leave room for flexibility and rapidity of adjustment as conditions change. This is of particular importance in the economic and technical spheres if development is not to be throttled. This, I fear, involves leaving much to be done by regulations, a conclusion, let me hasten to add, which is not due to the civil servant's craving for power. It was an old philosophical definition that happiness lay in the unimpeded exercise of a man's highest faculties, but it is a modern misconception

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to suppose that a civil servant's highest happiness lies in the uncontrolled exercise of the most arbitrary rule-making powers with which his Department is invested.

The hand of a regulating Department should not and need not be heavy or blighting in its touch. It can and should be a supporting hand. The power should be used and, so far as my experience goes, is used only in the closest touch and after the most thorough consultation with the interests concerned and the aim of the administrator should be that the industry should regard the Department as an essential part of itself even though particular decisions may be unwelcome.

In exerting the influence of Government through administration a right temper is as essential as a right technique. I should like to quote to you some remarks taken from a recent paper by Mr. R. Bell, Assistant General Manager of the London and North Eastern Railway, which, when I first saw them, struck me as worth taking to heart:—

"We are apt to forget that the general feeling of the country goes far to mould the views of committees, just as it tempers the decisions of tribunals and prompts the action of Government Departments. There is also a certain degree of sweet reasonableness about our ways of administration. There is a possession of great price, not shared by other countries. With us public departments and tribunals are not prone to bring hornets' nests about their ears. So far from attempting to usurp authority, they are often reluctant to exercise their statutory powers to the full. They are content as a rule to watch developments so long as these are not running contrary to any cherished principle. When they do interfere, they may usually be said to advise or direct rather than to dictate. They like people to confer about their differences and, as the outcome of a frank discussion, to propound terms of settlement which can receive an official blessing. If there is nothing heroic about this procedure, it is marked by a great deal of common sense."

(3) In their general structure and internal organisation, and in the economic principles upon which their business should be conducted, transport undertakings present a diversity of administrative problems. The rapid growth of road transport has not only created a new public utility (or new public utilities—for on the roads passenger transport and goods transport are distinct) but has affected in many ways the administration of the older forms of transport which have been established under statutory control and under monopolistic or quasi monopolistic conditions in the past. In dealing with such new developments, the need for elasticity is obvious and this has been

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recognised in the regulative functions conferred upon the Ministry of Transport and in the discretion given to two different types of administrative Tribunal, the Railway Rates Tribunal and the Area Traffic Commissioners. These bodies also illustrate the fact that there is room for experiment and a variety of method in the regulation of public utilities.

(4) This brings me to my last point and that is to emphasise the vastness and the fascination of the field for study which is afforded to all those interested in public administration by the transport industry and its problems, whether they are the problems of the State in regard to the industry as a whole or the internal problems of the great authorities and companies of which the industry is largely composed. The growth and changes in the structure of the industry in the past form a long chapter in descriptive economics; discussion of its reshaping under current influences fills many pages of the periodicals now devoted to transport. But the field extends far beyond transport. A vast literature has grown up in America on the whole subject of the administration of public utilities in general, and textbooks pour forth from their Universities. Mr. A. L. Dakyns recently drew attention to the inability of American Professors to understand how the operation and control of public utilities was nowhere in this country a subject of "intensive academic study." He points out, however, that 500 pages of our own Journal have already been devoted to this topic. Has not the time arrived when some members of this Institute might turn their attention to the systematic handling of the great mass of information as to both the theory and the current practice, the science and the art, of administering public utilities in this country which now exists in the pages of our Journal and elsewhere?

Government Departments and the Press in the U.S.A.

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SYNOPSIS

Introduction: News Releases; A. Administrative Organisation; B. Types of News Releases: (a) Statements of Policy; (b) Administrative Routine; (c) Economic Intelligence; **C. Pre-publication of Printed Matter; D. Printing Substitutes; E. Machinery Employed; F. The Department of Commerce; G. The Department of Agriculture: Use of the Material: Attitude of the Press: Conclusion.**

I. INTRODUCTION.

IN almost every country there is some sort of relationship, however occult it may seem to the layman, between the government and the press. For the doings of the government are nearly always news even if, to the distress of the politically minded, they are subordinated to the more human news provided by murders, marriage, sport and fashion. At a time when the British press is complaining of the inadequate facilities provided for its representatives in Whitehall,¹ it may be of interest to note the very different conditions prevailing on the other side of the Atlantic, in Washington. Complaints there rather tend to the opposite direction, so great is the amount of material made available to pressmen by the Federal departments centred there. This news it must be emphasised is predominantly departmental and administrative, and not political news in the sense that it originates only with the political or cabinet officers.

Apart from printed material which is of course available to press and public alike, special means have been elaborated during the last twenty years to provide the press, as intermediaries between the government and the public, with day-to-day news of governmental and official business. This process has been greatly stimulated, if indeed it was not first rendered possible, by the invention and elaboration of a type of printing machine based on the use of the typewriter (and variously known as "duplicating," "mimeograph," "multi-

¹ *Vide the World's Press News*, 12th December, 1930.

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graph" machines and latterly the "rotaprint"¹) which allows a cheap and rapid reproduction of small documents and even pamphlets. Relying on these "near printing" processes the Federal Government departments have created a machine for administrative publicity which is not only relatively immune from the scrutiny of the budgetary committees who have laid heavy hands on printing appropriations, but is also completely under their own control and not centralised in an independent establishment (the Government Printing Office for instance). The rapid development which this activity has shown in recent years is not therefore very surprising. Any department by installing such a battery of machines has its own independent publishing department which it uses very largely in order to provide material for newspaper writers so that they in turn may give it an extended free publicity in the press.

Other methods of meeting the press exist of course, and attendance at the daily conferences of the Secretary of State on foreign affairs and the weekly White House conferences of the President are regular duties in the life of many a journalist at Washington. Few other departments call the press together in this way, however, except on important occasions (such as the announcement of the terms of a new government bond issue, or for the declaration of important changes in policy—such as the measures to be adopted for the relief of sufferers from drought in agricultural areas and so on). With this institution, the Press Conference, it is not here proposed to deal, and attention will be devoted rather to the "news release" as the duplicated or mimeographed sheet is generally called.

2. NEWS RELEASES.

A. Administrative Releases.

The News Release is indeed by far the most important method of distributing Government intelligence to the press both on the score of its extent and frequency. An amazing amount of material daily pours from the Government departments often requiring an elaborate organisation for its production and distribution. There is hardly a department without its publicity officer whose principal and often sole duty is to act as a liaison officer with the press. He has almost invariably been a newspaper man himself or he controls a staff on which newspaper men are found. He may be asked to write the news releases himself² in a small department or bureau, or to put those

¹ "Mimeograph" is the name given to the duplicating machines which work with a stencil cut first of all on a typewriter. The "multigraph" uses movable type set by hand, but whereas the multigraph prints directly on the paper, the rotaprint prints first on a cylinder which then transfers the impression to the paper (a process known in printing as offset).

² It is worth noting that the employment of a special publicity agent by a department was prohibited by Congress in 1931 unless a specific appropriation was provided for his salary.

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written by others into more appropriate form. Often, especially in the larger departments, his time seems almost entirely taken up with the task of supervising the collection of the material, its production, and its distribution along the most profitable lines.

This is especially true of the two departments responsible for by far the greatest output of publicity material for newspaper use, which will be selected for special mention in this sketch, the Department of Agriculture and the Department of Commerce. The degree of centralisation of the press publicity functions of these departments varies. The Department of Agriculture has unified its work in a special Division headed by a Director of Information who exercises considerable control over departmental publication policy and devotes a large share of his energies to making it more effective. It is probable that his influence will be considerably strengthened when more of the Department's divisions and branches are gathered in or around the new office buildings now nearing completion. (In 1929-1930 the Department was scattered in more than forty different buildings in Washington.)

The Department of Commerce also has a very active press relations office in the Bureau of Foreign and Domestic Commerce responsible to the Assistant Secretary. It also will shortly occupy a new building but it is doubtful whether the same degree of centralisation will be within its power owing to the disparate nature of the functions of its sub-bureaus—Foreign and Domestic Commerce, Census, Mines, Bureau of Standards, &c.,

A certain latitude must be allowed such bureaus if they are to function successfully and the task of ensuring an effective, rigorous central supervision is not very vigorously undertaken. But as many of the releases are issued in the name of the political head of the Department (a form of "reminder advertising") it is clearly desirable that this officer should be able to exercise some control over them. The machinery of supervision accordingly exists located in the central office at which newspaper men call for information.

It is at these offices that the news releases are made available to the press. These releases, as it was remarked at the outset, are almost invariably mimeographed on cheap absorbent paper and they frequently bear an advanced release date (a provision specially necessary in the United States, where mails take the best part of a week to cross the country). These releases are for the most part distributed in Washington to the newspaper men stationed there who call daily for them. Mailing lists are also maintained, but the personal method of distribution for news of general interest in this way seems to be the rule. The reporters can then ask questions and obtain further infor-

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mation which the publicity officer will obtain for them or locate in some other office where it can be obtained by the reporters themselves. A special room is often provided for their use equipped with typewriters and telephones which they may use free of charge.

B. Types of News Releases.

The nature and extent of the material issued to the press in the shape of these releases or "hand-outs" as they have come to be called in the newspaper world, defies adequate classification. It may be considered under the following heads:—

(a) Statements of Policy.

On important questions as noted above, the conference system is usually employed. It nevertheless happens that important information is issued in the form of a routine news release. For instance the work of the Federal Farm Board can be traced from week to week through its regular news releases and often through them alone. This Board is spending five hundred millions of dollars of public money in the attempt to make American Agriculture more prosperous. Its methods and policies have been fiercely attacked and hardly less fiercely defended in some very outspoken statements which it has circulated to the press. It is obvious that the policy underlying the actions of the Board may have a powerful influence on the structure of the existing crop and produce markets, and its news releases are therefore of very practical moment to a large section of the population.

(b) Administrative Routine.

Under this heading may be grouped all the releases governing changes in departmental personnel; promotions, retirements and transfers; government organisation, administrative methods, and similar subjects.

It is not infrequent to find that topics which in England would be the subject of a Treasury Minute, Statutory Rule and Order, or Order in Council, are chiefly distributed by means of a news release. The day-to-day developments of important negotiations may be announced by a press release. For example, the stages in the Boulder Dam dispute (in which the States of California and Arizona were violently opposed) were chronicled in successive press releases by the Department of the Interior.

This class of news release is noteworthy in that it attempts to bring public affairs before the nation as a whole, not only in their wider economic and social aspects, but also from the more limited field of interest of administrative method.

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(c) *Economic Intelligence.*¹

This heading embraces by far the greatest amount of administrative news. Very many departments and bureaus contribute to it but of them all the Departments of Commerce and Agriculture are the most important. In this sketch the chief attention will be devoted to them.

On the whole the extent of the activities of the Federal Government in this sphere may well surprise those who are led to expect from the traditional distrust shown to State enterprise in America that the scope of departmental activity would be severely restricted.

C. *Pre-publication of Printed Matter.*

Quite a large amount so issued, especially by the Department of Commerce, anticipates material that will later appear, possibly in revised form, in print. Such, for example, are the monthly statistics of the imports and exports of a great number of separate commodities into and from the United States, classed by countries. These may fill anything from a quarter of a foolscap sheet to three or more foolscap pages. A similar series exists for the production, shipment, &c., of a number of commodities reported by groups of large firms of producers in each trade. Much of the material gathered in the 1930 census is also being released in this way as rapidly as possible. All this material will eventually find its way into print but it is deemed of sufficient value to justify issue immediately it becomes available. It is argued that statistics of this type possess little but an academic interest if they are too long delayed and the prevailing freedom in the distribution of government publications makes the thought of a possibly diminished sale for the ultimate printed statistics of very little moment indeed.

D. *Printing Substitutes.*

Another class of material is duplicated and issued as a news release without subsequent incorporation in a printed publication. It may be thought not worth the expense of printing or it may be impossible to print it owing to the limited printing appropriation.

Reference was made at the outset to the superior attractiveness of departmentally-owned duplicating plants owing to their relative immunity from central supervision. This is of all the more importance since the comparatively recent introduction of the Budget system in the Federal Government has involved a much stricter control of departmental printing appropriations. Restriction in this direction has been partly offset by many departments deciding to publish for themselves by the purchase and use of "near" printing

¹ Other sections which could be added on such subjects as "Health and Social Welfare," "Justice," "Defence," &c., must be withheld for lack of space.

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machinery, for expenditure on this account can be carried on the vote for general expenses. The possibility of correcting this movement by controlling the purchase of machinery centrally does not yet exist in the U.S.A. as effectively it does in Great Britain, where such machinery is purchased by and very largely centralised in H.M. Stationery Office.

As a result it is apparent that much is being multigraphed and mimeographed which it would not only be desirable to print because of the value of the matter itself, but which it would be a good deal cheaper to print on account of the bulk of material and the large editions in which it is issued.

E. Machinery Employed.

As affording some indication of the scope of the publishing activities of these two departments it may here be appropriate to indicate briefly the machinery employed in this work. In addition to the usual mimeograph and multigraph machinery¹ the Department of Commerce employs three rotaprint machines, one large and two small. The rotaprint machines are used for reproducing maps, graphs, plans and charts, half-tone and line block illustrations, &c., in addition to mere routine printing. Three monotype keyboards and casters were employed to provide the type for the multigraph. The plant is also equipped with two folding machines, one capable of folding 8,000 quarto sheets per hour, the other 12,000 per hour. This folded material is then dealt with by a mailing machine which inserts it in envelopes and gums them at a speed of about 2,000 to 2,500 per hour.

The Department of Agriculture's plant is not quite so large, having but two monotype keyboards to supply type for its machines.

Compositors are not employed to operate the keyboards, the work being done by girls who are paid typists' wages rather than trade union rates. Both departments have automatic binding machines capable of gathering and stapling at least twelve sheets at a time.

This brief outline will indicate to some extent the amount of material produced by these two departments. The machinery usually carries a full load and the plants work under a constant pressure.

The possibility of effecting considerable economies by pooling all this departmental machinery in one central plant is not regarded very favourably as it is thought that it would lead to too great delays. In one such plant the supervisor often had, he said, only two hours between the receipt of a piece of copy and the time to begin mailing it. A cheap grade of labour is engaged for the work. The Depart-

¹ Ten small multigraph machines with automatic feed capable of about 9,000 impressions per hour, four large multigraph machines (printing "two up," about 6,000 double impressions per hour, used for long runs of big jobs). Nine mimeograph machines were kept for short runs of small jobs urgently required.

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ment of Commerce hires a considerable number of coloured ex-messengers at from \$50 to \$100 a month to operate the various machines.

F. The Department of Commerce.

Both these plants have a steady schedule of regular work to keep them constantly busy. Both have expanded into the field of specialised periodical publication. The following are some of the titles of the regular publications of the Department of Commerce produced by the near printing methods described above:—

“World Trade Notes on Chemicals and Allied Products ” (weekly).

“Foreign Aeronautical News ” (weekly).

“Electrical Foreign Trade Notes ” (weekly).

“Russian Economic Notes ” (weekly).

“Tobacco Markets and Conditions Abroad ” (weekly).

“Wearing Apparel in World’s Markets ” (weekly).

“Foodstuffs Round the World ” (weekly).¹

“Foreign Hardware Trade Bulletin ” (weekly).

“What the World’s Cotton Markets are Doing ” (weekly).

“Side Runs of the Paper Trade ” (weekly).

“Automotive World News ” (weekly).

“Crude Rubber News Letter.”

“Business Situation at Home and Abroad ” (weekly).

“World’s Wool Digest ” (weekly).

These publications are rarely less than two quarto pages each and quite often they exceed four or five pages. The close co-operation of the Department with the business world which has been a marked feature of its work since Mr. Hoover’s Secretaryship during the previous administration is said to have been responsible for the rapid issue of timely trade notes and news. The Department, like the Board of Trade, has a printed periodical “Commerce Reports.” It is, however, rather more lavishly produced than the *Board of Trade Journal* and the news it carries is additional to the practical and *ad hoc* information contained in these duplicated periodicals.

The circulation of these documents is of so specialised a nature that it may be thought unnecessary to include any reference to them here. They have, however, a considerable use in the trade press and in the financial and business columns of certain daily newspapers, particu-

¹ Issued in the following separate parts:—

Fishery News.

Confectionery Foreign Trade News.

Tropical Products.

World News on Rice.

Foreign Notes on Meats, Fats, Oils and Livestock.

Grain and Grain Products.

Canned and Dried Foods.

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larly in districts specially interested in their subject matter. They by no means exhaust the publication field of the Department. On one day in January, 1930, the following special small releases were distributed:—

- "Dominican Republic labelling requirements revoked."
- "South Africa plans to pay bounty on exported cheeses."
- "Use of foreign emblems as trade marks not prohibited in Argentina."
- "German Iron and Steel Syndicate renewed."
- "Utilisation of pine in manufacture of pulp in French maritime provinces."
- "Port of Riga and Ventspils (Windau) chosen as base for the Soviet Merchant Marine this winter."
- "Rapid growth in use of wood flour."
- "Restrictions on exportation of French walnut removed."
- "The effect of light on silver chloride in chemical analyses determined by Bureau of Standards."
- "More than 41 million dollars paid in automobile insurance premiums in France during 1928."

This is a fair sample of the kind of "irregular" material issued daily.

For the most part it occupies about a quarter to half a (quarto) page.

Every effort is made to make the message short and, if possible, "snappy."

It is clear that the Department regards this work as of first-rate importance to its task of trade promotion. The following statistics of the increase in output are significant.

SPECIAL INFORMATIONAL CIRCULARS DISTRIBUTED BY THE U.S. DEPARTMENT OF COMMERCE.

<i>Fiscal Year Ending 30th June.</i>	<i>Number of Copies.</i>
1922	350,000
1923	1,000,000
1924	3,100,000
1925	3,713,800
1926	3,327,120
1927	2,583,725
1928	3,657,725
1929	3,626,135

Broadly speaking also every published printed work issued by the Department is made the subject of a press release which usually appears in advance of the date of publication of the work itself. Copies of printed publications are not so frequently sent to the press but will be supplied if requested by the recipient of the news releases.

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One publishing project of the Department deserving special mention is the weekly (Sunday evening) broadcast addresses by the Assistant Secretary of Commerce. These deal in a genial, general way with all manner of current economic topics; "the new South," "Effective Retail Salesmanship," "Advertising American Goods Abroad," "New Ideas in International Advertising," "Economic Position of England," "The U.S.A. as a debtor nation," and so forth, and they have a very large following. They are multigraphed and supplied to the press in advance. So great is the interest they arouse that editions of 100,000 are not uncommon and reprints are frequently called for.

G. The Department of Agriculture.

The Department of Agriculture has also very extensive press relations although they take a somewhat different form. This is not unnatural, since a great deal of its effort is expended in reaching a different class; the small farmer in rural areas. The small country newspaper is admirably fitted to co-operate in this work and the Department is also able to make considerable use of the syndicated farming features appearing as regular supplements in sections of the American press. The small country newspaper, unlike the larger metropolitan daily, is often glad to obtain well-written authoritative news-matter free of charge. It frequently buys a good deal of its matter in the form of a "mat" already set up by some central news agency, around or within which it fits items of local news. This ready-set material, or "boiler-plate," as it is called, frequently carries agricultural tips and news which the Department supplies.

One such service alone supplying "boiler-plate" for over 3,000 country newspapers used more than 1,000 articles supplied by the Department in the fiscal year ending 30th June, 1930.

Syndicate writers also draw frequently on the Department not only for raw materials but for complete articles. The Department employs in fact four people who do nothing but write these articles for various sections of the press, but although they work at considerable pressure they are unable to cope with the demand.

One large news agency issuing two special feature pages a week on farm news and general science, obtains regularly from the Department not only articles, photographs and "fillers," but a special weekly series of articles, "Flowers, Trees and Shrubs."

For general circulation to the press the Department issues weekly a printed "Clip-sheet." This is set to the width of an average newspaper column, in the average size of type used in newspapers, on long sheets rather like galley proofs and it is printed on one side only. It contains about half a dozen paragraphs on various subjects. The following were the contents of one issue:—"Bandaged Trees,"

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"Mexican Bean Beetle," "Blasting Stumps," "Open Dairy Sheds," "New Turpentine Tool," "Laundry Tests," "Tannin in Dead Chestnuts." By providing the material in this handy form the Department undoubtedly runs the least chance of it being wasted. An editor can see at a glance where one of the paragraphs will fit, and it can be used at the last moment if necessary.

A similar service is performed by a mimeographed weekly series, "Page, Line and Paragraph," which is used mainly by country papers. As its title implies it contains miscellaneous tit-bits of information from a line or two upwards. All sorts of items of general knowledge are thrown in from time to time in order to diversify its contents. Activities of this type by no means supplant the issue of news releases and a close co-operation is therefore very evident between the press and the Department. Altogether the Department is in touch with over 20,000 newspapers, trade journals, farm papers, free-lance writers, and others. The work is of course but one aspect and a minor one, of the vast educational programme which the Department is attempting not only on behalf of improved farming methods but of improved living conditions on the farm. It is hardly necessary to refer here to the elaborate system of county agents and home demonstration agents by whom the work is being carried on in conjunction with the Department, not only in each of the 48 States, but in each of the counties within those States. When these workers are included it is estimated that there are between 2,500 and 3,000 people regularly engaged in preparing agricultural material for the press. In 1928 these workers contributed over 370,000 articles of one sort and another to the press against some 1,400 by the Department itself. Mention must also be made here of the news photographs of interesting pictures of farm and home life by which the Department seeks to render its appeal more graphic and vivid to the large number of its clientele to whom reading is always in the nature of a task. These are freely distributed to the press on demand—and over 250 negatives were made and distributed in the year ending 30th June, 1930.

3. USE OF THE MATERIAL.

Impressive as the output of the various news departments seems when seen at its origin it has to be remembered that it is diffused over a country of huge dimensions. In that area it has to compete, moreover, with other items of national and international news. It is hardly surprising, therefore, that much of it finds very little use in the columns of the metropolitan dailies. There is no such pressure on these papers to print Government releases as there might be for example to print the releases of a large publicity organisation where

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advertising patronage may be contingent upon the appearance of a "puff." What "goes over," therefore, does so on merit and on news value almost entirely. This is perhaps natural when it is considered that the bulk of the "straight" news from Washington is carried by the wires or on the "feature" services of "mats," &c., sent by mail, of a large news agency such as the Associated Press. Such an agency may be relied on to be as impartial as it is perhaps practically possible to achieve impartiality in the distribution of news to-day. It can be relied upon to provide its members with anything of importance issued by the Government agencies in Washington, with whom it is of course in constant and close relationship.

The province of the average newspaper representative is not so much to collect and transmit "hand-outs" as to present Washington news in a suitable form for his paper's readers or his editor's prejudices, to collect more details about any local news, and to work as far as possible behind the Associated Services.

With the country weekly and the technical press the situation is different, and it has been indicated how the Departments of Agriculture and Commerce are able to get a hearing in their columns. It would nevertheless be a mistake to minimise the results of the energy expended. Although for one reason and another vast quantities of these news releases are shovelled into waste paper baskets unused and perhaps unread, very many find a billet. The shooting is not by any means indiscriminate and the departments try to hit the mark as often as they can. The employment of men trained in newspaper offices to write a news "story" (although reporters will tell you that some departments' releases always require rewriting), the centralised distribution, and surveillance of mailing lists, and the day-to-day contact with pressmen of all types serve as indications of the forces at work to keep the function healthily and successfully employed. Statistics of results are almost impossible to collect if only because the field from which they must be gleaned is so vast. The Department of Commerce has counted 15,000 column inches of its material in technical and daily journals in a recent year. The Department of Agriculture has also interested itself in the matter, and the following brief results of its experience are of interest. As a sample inquiry it made an investigation of the amount of agricultural material printed as news in the columns of 11 important daily papers selected at random during comparative periods of seven days in June, 1919, and June, 1929. An increase of 91 per cent. in the number of agricultural items appearing was recorded. The space devoted to such material had increased by 53 per cent. It is rather extravagant to build very largely upon such a result but there seems little reason to doubt that the persistent work of the Department has had the effect of deepening the public conscious-

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ness of the American people as far as agricultural problems are concerned. What reaction such a result may have when large questions of economic policy, such as that involved in the establishment of the Federal Farm Board, come before the public judgment, can only be a matter for conjecture, but it is fairly evident that the steadily increasing barrage of news is likely to produce effects of considerable magnitude over a period of ten years. Enough is now known of some of the forces moulding public opinion to make a judgment of this nature almost a platitude.

ATTITUDE OF THE PRESS.

On the whole there can be no doubt but that the press find the news services of great assistance and that they co-operate willingly and without prejudice. This is hardly surprising for the whole thing is a natural evolution in American politics and government with its insistence (often theoretical and sometimes unfortunately only *post facto*) upon the full revelation of the facts and processes of government as an essential pre-requisite for democratic judgment.¹ The inquisitive nature of the American reporter is a byword and the two elements of the situation had therefore only to come together in order to create some sort of machinery of the type which is the subject of this article.

Nevertheless one or two interesting questions remain.

There is the tendency which has been described to the writer in responsible and very well-informed circles as a very real danger, that some reporters become the servile acceptors of hand-outs and will take almost anything that the departments like to give them. One reporter said that this was a situation which daily contact with the source of what might not unfairly be described as a good part of the income of some Washington correspondents made it difficult to resist.

Although no evidence seems to exist that violent critics of the Government, Liberal, Radical or Communist, have ever been refused access to departmental sources of news, it does not need much imagination to realise that the reception of a known and persistently hostile critic would be probably different to that accorded a friend. In spite of the possibility that a few Pressmen may succumb to the temptation of an easy life in this way, it is more than doubtful whether they are very numerous or very important. The American reporter prides himself on being "hard boiled"; and if he is not the most cynical being on earth, he is sufficiently endowed with that quality to be able to avoid the role of catpaw to a Government office—assuming that any Government office would wish to engage him as such. These considerations are also of cardinal import-

¹ The absence of any device like the British Parliamentary Question and the French "Interpellation" may also be noted in connection with the question of publicity for administrative acts.

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ance when considering the still graver fears which may be entertained on the question whether departmental publicity is of an insidious nature, designed to attract and focus attention on the department and its officers rather than to provide legitimate news for the public. Followers of recent alarmist utterances on the subject of the encroachments of the bureaucracy may see here a new weapon of the most dangerous type forged ready for service in the new class war of bureaucracy *versus* the public. On the whole, as it will be apparent from the discussion above, there would seem to be very little grounds for such an accusation. But suppose that an attempt was made to exert a sinister influence on public opinion by a Department this way, and that some newspapers fell into the trap set for them by the Department. Is it not clearly obvious that others would very soon see through the scheme, and denounce it in such terms that the outcome would be the very opposite of that hoped for by the conspirators? To raise such a question at all is somewhat fantastic in the light of the work actually done by existing information services, or even that which might conceivably be done by future services. Naturally, departments do not tend to issue releases reflecting adversely upon themselves. Nor would one expect to find, for instance, in the very well-organised publicity work of the War Department many tendencies to encourage pacifism and disarmament. Political chiefs expect to be quoted, where possible, as the authors of departmental releases—a fact which, however, is consistent with the theory of Cabinet government, even if it provides them with continual publicity at the same time.

On the whole, these information services seem very fairly conducted, and any exception to this rule would be in the nature of an unusual incident. To condemn an information service of the type here considered because of its possible misuse is not only to ignore the fact that the service can only function by the consent of an intermediary which rarely has any strong personal interest in supporting a department, but to ignore also the more important fact that few countries lack a strong opposition Press keenly critical of administrative acts.

In rather a class apart stand the utterances of the President during the last twelve months, predicting from time to time the imminent disappearance of the industrial depression. These have provoked some very caustic comments as successive optimistic forecasts have been seen to be entirely unfounded. Other members of the administration have incurred the same reproaches, particularly the Secretary of Labour for his views on the unemployment question.

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Departmental officials are not implicated in this controversy, however, which has been a political rather than an administrative matter.

5. CONCLUSION.

The United States administration has developed a news supply concerning the facts and processes of government and of important aspects of national economic and social life which seems, in spite of a possible wastage and inefficiency at certain points, to provide a useful weapon in the task of familiarising public opinion with the unfamiliar and, generally speaking, uninteresting facts of public affairs. It has the merit of being relatively inexpensive. It is directed to the man-in-the-street and provided, as far as possible, in language which will at least not repel him. The risk of misrepresentation in the popular press is a danger which is not felt to be serious, but is at any rate cheerfully incurred. Even if the machinery and activities here described do not appear impressive, it is suggested that their constant daily operation and development will, in the long run, have a significant influence on public opinion: an influence which will be found not only to have been informative, but fruitful in the more practical virtues of toleration, goodwill, and co-operation by which the task of government can be so greatly eased.

As a practical device in ensuring that some of the presumed advantages of democratic government may be secured, this departmental supply of news has merits which do not yet seem to have attracted the attention they deserve from political theorists; for they make it possible, in however rudimentary a manner at present, for the electors to know a good deal of what is being done in their name at the seat of government. From this standpoint it is perhaps not without significance that the United States—which has been more specially identified with a democratic form of government in the last hundred years than any other great country—should be the first to develop such a machinery. For if it is consonant with democratic principles that the people should be the authors of the administrative power wielded in their name, does it not logically follow that they should be informed of the deeds of the deities they create? This is not a question which has ever been in dispute. It is the further question which has never yet been squarely faced: "How are the people to be informed?" The printing and publication of blue books has been the only practical answer so far; but here is a new type of publication which has grown of its own accord out of the necessities of the situation. Is it not also a fit instrument for the task on hand?

The Secretariat of the League of Nations

By the Hon. Sir ERIC DRUMMOND, K.C.M.G., C.B.

[Paper read before the Institute of Public Administration,
19th March, 1931]

YOU have done me the honour of asking me to read a paper on the organisation of the Secretariat of the League of Nations. Will you allow me two preliminary observations which are in the nature of excuses: the first that I fear that the contents of such a paper can contain little, if anything, of original value for the members of your Institute, since the principles underlying the organisation of the Secretariat of the League are largely those on which the British Civil Service has been developed; the second is a request for your forgiveness should certain passages of the paper appear to be unduly egotistical. If this is so, it is due to the fact that the only constitutional officer appointed by the Covenant was the Secretary-General, and it was left to him to appoint other officials subject to the approval of the Council of the League.

It is difficult to understand fully the present basis of the Secretariat, and particularly that part which concerns the highest posts therein, without some historical account of its beginnings.

When I was appointed Secretary-General in April, 1919, I found that there were two utterly opposed ideas as to how the Secretariat should be constituted. The first arose out of the valuable work which had been accomplished by numerous inter-allied organisations during the war. Those organisations were composed, as you know, of representatives of the different powers, who acted under the instructions of their respective Governments, their common aim and uniting force being to do what was best to secure victory. On this analogy it was proposed that the Secretariat should simply be a body on which all the powers members of the League should have representatives who should consult together and prepare the way for the decisions of the Council and of the Assembly. In fact, the Secretariat would be nothing more and nothing less than a permanent conference of representatives of the powers members of the League, or rather, of such

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powers as thought it desirable to have such representatives. Such a system had worked well among the allied powers during the war, and it was therefore thought that it could produce the same admirable results in the League.

The second idea, which was one I personally had cherished, was the constitution of a truly international civil service—officials who would be solely the servants of the League and in no way representative of or responsible to the Governments of the countries of which they were nationals.

I felt bound to place these two views before certain members of the Organisation Committee, which had been appointed by the Supreme Council to supervise the preliminary stages of the organisation of the Secretariat, making no secret of my strong belief that the adoption of the second plan would not only result in fresh progress in international affairs, but was essential if the League were to become what its founders hoped it would be. Happily from my point of view, the members of the Committee were unanimously in favour of it. It was therefore on this foundation that the further building was undertaken.

Another question which was examined and decided by the Organisation Committee was that of the highest officers of the Secretariat. Looking at the matter solely from the administrative standpoint, it seemed that all that was required was a Secretary-General and a Deputy Secretary-General, but in view of the prevailing political situation it was considered that it would be advisable to have two Deputies, the second to be styled Under-Secretary-General. As it was desirable to obtain as much political support as possible for the League, I did not feel it right to object to this proposal, but its further consequences were immediate. The two officers I have mentioned were to be nationals of two of the Allied Great Powers—and consequently two other Great Powers among those represented at the Peace Conference were left in the cold—and at once representations were made to me and to the Organisation Committee that their nationals must also be included. Political reasons prevailed, and it was therefore decided that there should be one Deputy Secretary-General and three Under-Secretaries. But it was not solely reasons of political prestige that led to this conclusion; the members of the Committee held that it would be of real advantage to the Secretariat to be able to secure the services of prominent people from countries whose interests were world wide, and that to achieve this end it was necessary that the rank and conditions should be highly attractive. It must also be remembered that according to the Covenant there were to be five permanent and four non-permanent members of the Council, and that the decision taken as regards these high posts in

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the Secretariat was in accordance with this conception of the predominant part to be played in the League by the Great Powers.

This problem of the chief officers of the Secretariat has been much discussed recently, and no final decision thereon has yet been reached. It has been felt in many quarters that the present *de facto*, though not *de jure*, monopoly of these higher posts by the Great Powers (one of the conditions of Germany's entry into the League was that one of her nationals should be given the post of Under-Secretary-General), is neither in accordance with the developments of the League since the proportion of permanent to non-permanent members of the Council has completely altered; originally, as I have said, it was five to four, it is now five to nine: nor in accordance with the principles laid down for the constitution of the Secretariat, the members of which are international civil servants and do not in any way represent the Governments of their respective countries. On the other hand, the existing system has worked well and given satisfactory results.

The Secretary-General was left an entirely free hand as to the rest of the organisation and the appointment of the members of the staff.

On returning to London from the Versailles Conference I began work in a small back drawing-room in 23, Manchester Square, with one collaborator, Lord Colum Stuart, one stenographer, and one office keeper. There we sketched out the framework of the organisation and particularly the number of departments, or Sections, as they are called in Geneva, which with one exception were the same as exist in the Secretariat to-day. The task was comparatively easy, as the duties of the League are clearly laid down in the Covenant and in the Treaties of Peace.

As the Secretariat grew we migrated first to Caxton House, then to Sunderland House with overflow offices in a house in Piccadilly, and lastly to Geneva.

We decided to start with the minimum staff possible for the duties we were called upon to perform, and only to add to the numbers as the work increased. I thought this system the wisest, though there were many who believed that the Sections should be comparatively large in order to study and prepare for future eventualities. These Sections are now thirteen in number, namely, Legal, Political, Mandates, Minorities (with a sub-Section dealing with the Saar and Danzig), Information (which is also concerned with all press matters), Disarmament, Opium and Social Questions (which, in accordance with a decision of the last Assembly, will in future be dealt with by two separate Sections, instead of by one as heretofore), a Section for Intellectual Co-operation (it was this Section that I had not foreseen

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—it was formed owing to the desire of the Assembly that the League should do its utmost to promote co-operation between intellectual workers in different countries)—and, lastly, the Sections which are known as Technical—Economic, Financial, Transit, and Health. You will see therefore that the Secretariat contains in a sense the majority of Ministries which are found in a national Civil Service.

While the Political and Minorities Sections serve the Council direct, the other Sections supply the Secretariat for, and perform the executive work of, the expert advisory committees which assist the Council in all technical questions. The exceptions are the Legal and Information Sections, which cover the whole organisation of the League.

Though necessarily much of the work of the Secretariat must be done through the system of minutes, I have found verbal exchange of views peculiarly valuable. We have a meeting of all the heads of Sections once a week, where possible improvements or weaknesses of the organisation can be and are examined. Further, I make a point of seeing the competent officials in each Section before any important decision is taken, and by measures such as these and by Committees (I will refer to them later on), we have largely reduced the written communications between the different Sections, which perhaps are sometimes apt to take an exaggerated form in national services.

Apart from the Sections, there is the side of the Secretariat which is solely concerned with internal administrative work—the Treasury, the Library, the Translators and Interpreters Service, the Registry, Distribution, Roneo, Stenographers' Departments, &c. These internal Departments serve the whole Secretariat, and therefore every Section has an interest in their efficiency. In their organisation we have combined whatever was found best in different national civil services and in business methods; and though it is not for me to estimate the result, I cannot but say that these services have received remarkable testimonials to their capacity.

Indeed, we have from time to time at the request of Governments sent officials from the Secretariat to give advice on various matters such as the reorganisation of registry methods, &c.

At an early stage a point arose of considerable importance to the future development of the whole Secretariat. Should the Sections be formed on a geographical basis, or according to the subject matter with which each Section was called upon to deal? After some hesitation I decided in favour of the second theory, and its adoption has, I am convinced, added much to the strength of the organisation, because it has made easier the co-operation of men and women of different nationality in a common task. There is not, as is sometimes

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thought, an English, a French, and a German Section of the Secretariat, &c., but each Section is composed as far as possible of men and women from different States members of the League. For instance, the Legal Section, of which the head is a distinguished Uruguayan, an ex-Minister for Foreign Affairs, has members of Belgian, British, Cuban, Dutch, French, German, Indian, Italian, and Spanish nationality. The same system is applied throughout the Sections, and I can honestly say that this daily collaboration of individuals from various countries and continents has seldom given rise to difficulties, since all are inspired with the same spirit and working for the same end. Indeed, I have found that when, as inevitably happens, quarrels arise in the Secretariat, they are more likely to be between officials of the same nationality than otherwise. I do not venture to suggest the reasons; perhaps we are likely to restrain our tempers less when expressing our views and opinions to our fellow countrymen than when discussing matters with individuals who are not of our own nationality.

Although it is not perhaps altogether relevant, the mention of tempers reminds me of a further point of some possible interest to public administrators. There are some years in Geneva when for weeks we hardly have a glimpse of the sun; there is a dull fog enveloping the city, the result, I have been told, of certain air currents coming from the glaciers. I have noticed that during such weeks the nerves of my collaborators are apt to get frayed, and personal frictions occur too frequently. But on the first day that the sun shines the whole atmosphere alters, bitterness vanishes, and harmony is completely restored, with a resulting increase in efficiency. As even the most scientific organisation is not yet able to remedy faults of climate, I fear the *status quo* cannot but be respected, and must therefore ask you to forgive this digression.

In order to avoid any possible suspicion of partial action by members of the Secretariat, we have established an informal rule that no member of the Secretariat shall be called upon to deal with a matter of particular concern to his own country. Thus, the Section dealing with minorities contains no nationals of countries who have concluded minority treaties, or of countries have a special interest in that problem; the Mandates Section no nationals from countries in the possession of mandates. Indeed, I thought it expedient, when the question of the boundary between Irak and Turkey was being considered by the Council, to ask the Deputy Secretary-General to act in my place on the sub-Committee of the Council which had been appointed to report on the subject.

Such measures are, of course, not in any way constitutionally necessary; they are, however, wise, and are taken, as my friend Sir

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Edward Davidson, a former Legal Adviser to the Foreign Office, would have said, "*ex abundantiore cautela*."

The Secretary-General is the head of the whole organisation, and is formally responsible for every act of the Secretariat. Next to him is the Deputy Secretary-General, who follows generally all the work, as he takes the place of the Secretary-General when absent. In view of the special qualifications of the present Deputy Secretary-General, he has been entrusted with a general supervision of the Technical Sections, but this is an incidental situation and in no way organic. One of the other Under-Secretaries-General is responsible for all the administrative side of the Secretariat, though it is probable that in the future the Treasurer will become an independent officer, and the remaining two are the chiefs of two of the Sections, at present the Political Section and that of Intellectual Co-operation. The other Sections have Directors as their chiefs, though in special cases it has been agreed that there may be a Chief of Section with that title and with a salary considerably below that of a Director. The Sections are thus composed of a chief with a varying title, either Under-Secretary, Director, or Chief of Section, with a certain number of officers of the first division under him, called Members of Section, the number varying according to the work of the Section. By no means all these Members of Section are permanent officials, many of them coming from national services for short terms or as experts. The present total number of Members of Section, apart from the administrative side, is one hundred and nine. There is also in each Section a Secretary and three or four subordinate officials belonging to what is known as the first and second categories of the second division, the first category corresponding roughly to the British Staff Officers. There is a pool of stenographers who work for the whole organisation, though there are as a rule a small number of stenographers definitely attached to each Section. It seems unnecessary to go further into detail as to other features of the organisation of the subordinate staff.

Appointments in the Secretariat are of two kinds: permanent and temporary. Permanent appointments are engagements up to an age-limit of 60; temporary engagements for a specified period of years.

Till last year the officials of the Secretariat had no pension rights, though the principle of pensions had been admitted as proper from the early stages of the Secretariat. The Assembly of last year decided that permanent officers should be given pension rights under a contributory scheme, and to-day any officer whose period of service is not less than seven years has certain accruing financial rights on the termination of his contract. Practically all the second division have been given permanent appointments; in the first division, however,

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the proportion is considerably lower, since, as I have explained, many such officials have short-term contracts. As there is no parliamentary basis for the engagement of officials, Staff Regulations have been framed which contain the conditions on which an official enters the League Service. According to these regulations an annual report on the services of each official is furnished by the head of each Section or Department, and on these reports it is determined whether or not the annual increase of salary, which is given within the budgetary limits of the grade to each official provided his work is good, shall be granted. A more detailed report is made at the expiration of each seven years of service, and if that report is unsatisfactory, the administration has the power to terminate the contract of the official, or to subject him to financial penalties. Should an official consider that action has been taken by the administration contrary to the Staff Regulations, or should he think that personal prejudice has been shown in the reports made by his superior (each official has a right to see all these reports), he can appeal in the first instance to a paritative Committee, composed of representatives of the Administration and of the staff. This Committee reports to the Secretary-General, with whom the decision rests, but the official has a right of ultimate appeal to the Administrative Tribunal, a body composed of three eminent jurists who are entirely independent of the Secretariat and are appointed by the Council. Originally the final appeal lay to the Council, but this procedure was found to be cumbersome and was superseded in 1927 by the establishment of the Administrative Tribunal.

The real difficulty of the organisation of the Secretariat lies in the clash of two principles; the first that a post should be filled by the best available man or woman, the second that there shall be a reasonable and fair distribution of posts among the nationals of the countries members of the League. Certain hard situations as regards individuals and promotion have arisen because of this conflict of two almost irreconcilable principles, and it is only possible to treat each case on its merits, and to do what is best in the circumstances. No hard and fast rule can be laid down.

The total number of the staff is to-day six hundred and ninety-eight. The first division, which includes the interpreters, translators, and certain administrative officers, has one hundred and eighty-nine; the second four hundred and four; the third, which is engaged locally, and consists of office keepers, messengers, &c., one hundred and five. The salaries are based on the scale of the British Civil Service for roughly equivalent duties, plus, in the case of the second division, a further amount for expatriation.

If we had not two official languages in the League the total figure

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of the staff could probably be diminished by at least 20 per cent., but every document, except those for the internal use of the Secretariat, has to be produced in both English and French, and we receive papers in various other languages which may have to be translated.

There are to-day forty-three nationalities in the Secretariat. In view of this international character of the Secretariat, I have found it wiser to set up, more than would be the case in a national service, Committees to deal with many questions which arise, so that the equity of decisions cannot be open to doubt. For instance, all appointments, and many questions of internal administration, are considered by committees composed of members of different nationalities.

The new and essential factor in which the Secretariat differs from national civil services is that the members serve the League as a whole and not any particular Government. They are responsible to and take instructions from the Secretary-General alone, who in his turn is solely responsible to the Council and the Assembly. They may not promote the special interest of their own countries, nor may they receive instructions from their Governments. The principle is new in a large organisation, though of course it has been applied previously, for instance in cases where an individual has been seconded from a national Civil Service to become an adviser of a foreign Government. On the whole, I think I can say that it has been admirably observed, though for certain mentalities it is difficult, and great care has therefore to be taken in the choice of members of the Secretariat. The two great qualifications for these posts apart from general efficiency seem to me to be firstly a belief in the League and a desire to serve it, and secondly the capacity of placing yourself in the position of the other man. It is by these qualities that the members of the Secretariat have been able to acquire the confidence of the fifty-four Governments whom it is their duty to serve impartially and to the best of their ability; if this spirit can continue to permeate the organisation, the Secretariat will, I think, remain one of the most important factors in the development of international life, while if it vanishes or diminishes an experiment on which high hopes, I venture to think rightly, have been set, will fail. Indeed, it is not perhaps too much to say that in such an event the whole basis of the present structure of the League of Nations will have to be re-examined.

Reviews

The Government of Metropolitan Areas

By P. STUDENSKI, assisted by the National Municipal League Committee on Metropolitan Government. 403 pp. (New York: National Municipal League.) 3.50 dollars.

THIS volume is worthy of being read by all concerned with local government. It is a detailed study of the experience in the United States of the endeavours to obtain larger units of government for local needs, with comments on the experience in the matter of extensions.

"Metropolitan area" is not altogether a happy term because it brings up a picture of a large city with its suburban neighbours, whereas the study extends to much larger regional groups.

Investigation has been rendered possible by a grant from the Russell Sage Foundation, one of the numerous funds provided by private benefaction, which help research so liberally in the United States.

The book deals with one of the problems which will call most urgently for solution in the next decades. It vexes every industrial country, ourselves not least, and the study throws an instructive light on the problem. The size of the problem in the United States may be gauged from the fact that, according to the census for 1920, there were 29 "metropolitan areas" in all, with a population of 29 million persons, being nearly 28 per cent. of the total population of the States; and the census for 1930 will show still larger figures.

The study is full of facts. It is interspersed with a good deal of comment, but it would have gained if there were still more fundamental thought. It would be of great advantage if those interested in research on social questions had a clearer notion of the objective. There is too much tendency to accumulate great heaps of facts. The value of the facts lies in their significance, and usually this needs to be more deeply probed. Not, as I have mentioned, that there is not a good deal of probing in the present volume.

The need of larger territorial units of local government is no new problem. The author states that the present problem differs from the old in a quantitative, not a qualitative manner. But the quantitative difference is so great that it becomes qualitative, as indeed is

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recognised by the author. He states:—"It is possible, even, that a new form of local government will be necessary." That is the point—that usually the old problem could be met by extensions, and it by no means follows that this is the proper cure for the large scale problem of to-day.

The facts set out in the volume with regard to boundary extensions have a homely ring to those familiar with the problem in this country. On the whole, extension is more difficult in the States; more stress is laid on the necessity for agreement, and the frequent resorts to referenda do not ease matters—or make for wisdom. Extensions, the author says, have "frequently . . . as their immediate effect a boom in building construction in the new territory and a rapid rise in property values." His general conclusion is that on the whole the results of extension have been good, but that it does not provide a solution for the modern problem. It is interesting to note the advertisement value put by American cities on mere size.

Boundary extensions are complicated in the States not only by County limits but also by State divisions. The County problem is very different from that in this country. Even in the large cities, the County Authorities usually continue to function independently of those of the city, despite many efforts to avoid this division. But "City-county consolidation can hardly be expected to offer a solution to the difficulties confronting most of the metropolitan regions to-day." Incidentally, the county is the worst blot on local government in the United States of to-day. It is remarkable how primitive the organisation and government still continues to be in most counties. Much effort is now being made to modernise county government and some progress has been effected, but it is very slow.

The most interesting and suggestive part of the book is the account given of endeavours to establish "federated cities"—a federal form of government, of which London is our only example, for what have been called "conurbations" and what could much more sensibly be called town-masses. In recent years very much thought has been given in the United States to this important question. New York is a well-worn problem, by no means yet satisfactorily solved, and the changes (of which an account is given) are instructive.

All efforts to solve the problem elsewhere have hitherto failed. "In the United States, federated metropolitan government is still in the discussion stage," and the author ends with a conclusion, of which the truth is not by any means confined to the United States, that—"The present chaos is a summons to a broader view and higher statesmanship than has generally been displayed."

I. G. G.

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District Audit

The Law relating to Local Government Audit. By WILLIAM A. ROBSON, LL.M., of Lincoln's Inn, Barrister-at-Law. (Sweet and Maxwell, Ltd.) 17s. 6d.

The Development of Local Government. By WILLIAM A. ROBSON, Ph.D., LL.M., B.Sc. (Econ.). (Messrs. George Allen and Unwin, Ltd.) 12s. 6d.

THE first of these books is a statement of the law, intended by the author primarily for members of the legal profession, though not exclusively for them. In Part V of the second book he gives some account of the working of the District and Borough Audit systems, especially the former, and makes some proposals for the reform of municipal audit.

A book on the legal aspects of district audit was well worth writing. It is true that many of the cases collected in Mr. Robson's book relating to the powers and duties of the district auditor relate also to the powers and duties of the local authorities whose accounts he audits, and are therefore to be found elsewhere. But it is worth while to bring them under review from the former aspect, because they illustrate the working of a very remarkable piece of legislation. The earlier efforts of Parliament in providing for audit were tentative and uncertain, as Mr. Robson shows, but they advanced in confidence with each successive piece of legislation. They began with what the auditor *might* do and then went on to what the auditor *should* do. Moreover the sphere over which he had this combined power and duty was enlarged. Under the Poor Law Amendment Act, 1844, the auditor "shall charge in every account audited by him the amount of any deficiency or loss incurred by the negligence or misconduct of any person accounting." The Local Government Act, 1858, went further and provided that the auditor "shall disallow every item of account contrary to law and surcharge the same on the person making or authorising the illegal payment." Both these phrases are combined in later legislation and they are the law at the present time wherever the district auditor audits the accounts. It is obvious that these powers are very formidable. There is no reason, however, to suppose that Parliament were not aware of this, for they coupled the powers with a very effective safeguard. We are not referring here to the appeal to the Minister of Health—now somewhat curtailed in its scope—but to the appeal to the Courts which had always in one form or another existed. In every case in which the auditor can impose a personal liability the matter can be challenged in a court of law.

The result has been that the Courts have had some very interesting problems to settle—trivial sometimes as regards the subject-matter,

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but important and far-reaching as regards the principles involved. They have had to avoid giving decisions which would on the one hand cramp and fetter the freedom of local authorities in the *bona fide* exercise of the powers conferred on them or on the other hand would derogate from the authority of the auditor and reduce his functions to the mere checking of accounts. How they have done that may be studied with great advantage in Mr. Robson's book on Local Government Audit. The student may obtain from it a very valuable insight into the minds and methods of English judges—and it may be added, of Irish judges also, because there have been some important audit cases in Ireland and Mr. Robson has wisely included them in his book.

Proportion has been observed in the book. As the preface says, many of the more important cases have been described at some length, and on the other hand some cases dealing with matters of no contemporary importance have been omitted. This latter process might, we think, have been carried somewhat further. Cases dealing with vestries and overseers and common or parochial charges in a Union are of no immediate interest, and even if they illustrate principles, these can seldom be studied to advantage in the operations of bodies whose very status has no replica at the present time. The note of *A. G. v. West Ham Corporation* [1910] 2 Ch. 560, on page 41 is not quite correct. It did not decide that it was unlawful for a local authority to borrow by way of overdraft, but only that it was unlawful for them to do so for capital purposes for which they had not obtained sanction to borrow; and this kind of overdraft has not been authorised by the Rating and Valuation Act of 1925. But the matter is not of importance, because the point is sufficiently illustrated by the Tottenham case which follows.

In passing to the discussion on district audit in the book on the Development of Local Government¹ we are not quite so fortunate. After giving some account of the cases dealing with the relative claims of the local authority and the district auditor to which reference has been made above Mr. Robson goes on to say: "All these attempts to stem the tide of the Auditor's power of autocratic control over the activities of the elected council were, however, doomed to be swept away at a single stroke of the House of Lords." This is an exaggeration. Mr. Robson is referring to the Poplar Wage case, *Roberts v. Hopwood* [1925] A.C. 578. The question at issue there, as he sees it, turned on the reasonableness of the amount paid. He quotes Lord Sumner as saying that the mission of the auditor is to find whether there is any excess over what is reasonable; and he asks, why should the "reason" of the district auditor be entitled to take

¹Other sections of this book will be reviewed in a later issue—EDITOR.

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precedence over the "reason" possessed by the councillors and the electorate? This is in fact the view of the matter which the extracts given in the present book suggest. But if one turns to the fuller extracts given in the other book, it will be seen that the essential point on which the Council were held to be wrong was something different, viz., that they had been guided by aims and objects which, in the mind of the Court, were not open to them: that they had in fact taken into consideration matters which were extraneous to their business. Apart from this matter of *arrière pensée* it is difficult to see that the Poplar case has made any change in the position.

Mr. Robson dislikes the outlook of the district auditor. "The type of man," he says, "who regards it as improper for a great local education authority like the London County Council to provide necessitous school children with fruit, cod-liver oil and malt extract under the Education (Provision of Meals) Act, does not possess the mental equipment likely to produce the most satisfactory method of audit." But this is hardly fair. The things mentioned are not meals, and the auditor may be excused for thinking that it was not within the powers of the Council to provide them, at any rate under this statute. He cannot set up a kind of case-law of his own as incrustations round the edge of a statute. Elsewhere in the book under the heading of Principles of the Constitution, Mr. Robson points out that local authorities can lawfully spend money only on such services as they are expressly empowered to provide. This is a proper subject of complaint against the constitution or against the way in which the statutes are drawn, but not against the auditor. One cannot help feeling that Mr. Robson as teacher should keep in line with himself as lawyer. By dividing the persons he confuses the substance.

Nor does he like the kind of work which the Auditor has to do. "The District Auditor," he says, "has at present no right to advise local authorities from this broader aspect, no right to report to the council on matters not involving illegal payments or negligence, and no power to compel improved methods of financial organization." In point of fact, he is constantly advising and reporting on these matters, and spends more of his time on this than on making the disallowances and surcharges which are (naturally) so prominent in these books. And if he cannot—or cannot always—compel persons to adopt his recommendations where he cannot point to a definite loss arising from the neglect of them, this is not a bad thing, and conforms to the conditions under which much good work is done.

E. H. R.

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